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POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

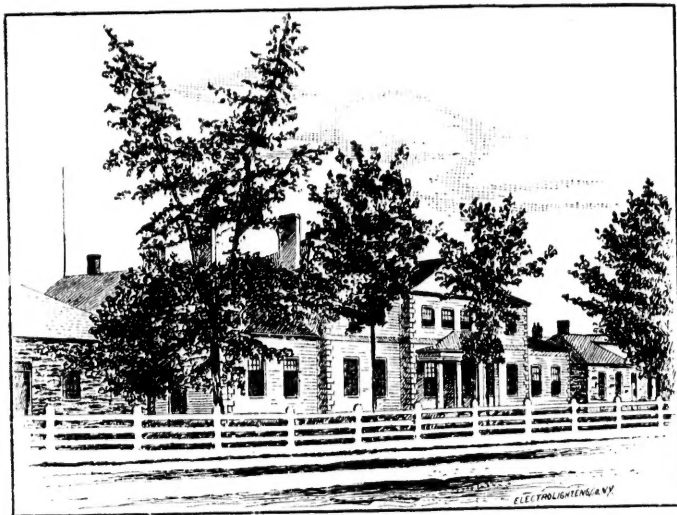
By G. E. FENEY, Fredericton, N. B.

Explanatory, No. 1.

The continuation from Volume First of the Political History of New Brunswick, may not be considered out of place by publishing it in a serial form, from week to week, until the whole is completed—say from this date down to a comparatively recent period—to be followed afterwards by some future historian possessing political enthusiasm enough for the undertaking. In this way there would be a connected Legislative narrative from 1840 onward, which in the distant future will be found not only of incalculable interest, but of great value to the coming politician. Had such a work been undertaken, even at the beginning of this century, and continued down to 1840, when this was commenced, we should to-day be in possession of a mine of political wealth, which gold could not supply—as to what the old school said or did, who they were personally, what parts they played in the political forum, and what their talents and statesmanship, nothing is known, more than that they made laws, no doubt good speeches, monopolized all the offices and were looked up to by the masses as very clever men, whether descended from the Loyalists or of old Colonial stock. The journals of the Legislature, from the beginning, provide, it is true a record of all the proceedings, but these as it is well known, are but the husks and not the wheat from which the historian may draw political pabulum; from them we learn how a member voted upon a particular resolution, but why he so voted, or the bent of his mind in arriving at a conclusion upon an important measure, we are left entirely in the dark. The public have not even a connect-

ed account of the reporters' work in the gallery, in regard to the speeches delivered on the floors of the House, prior to the last eight or ten years—from the fact that such reports were given spasmodically; some Sessions would pass by without a Reporter being present; sometimes the House of Assembly would vote sums to defray such expenses; then other Sessions would pass on and no pay be allowed. The effect was that in those days publishers of papers were too poor, however rich they may be now, to send Reporters from St. John to attend the House—hence no published debates some Sessions; the thread of continuity was lost; so that had not the present writer been on hand in some way, and kept the run of things through friends at the Capital, during the thirty years of his journalism, it is certain he would be unable at this time of day to enter upon and carry out the work in which he is now engaged. There was a time in the forties and fifties when the writer was intimately acquainted with every member on the floors of the House, through business political relations, whether Liberals or Conservatives, and therefore had opportunities of learning much that was going on behind the scenes—good, bad and indifferent—hence he had an abundance of grist for his mill, and a surplus to lay aside for the future. Enough, however, has been preserved to enable him to provide all that is necessary or interesting for the appetite of the political student.

It will be noticed that in a number of cases, the names of members are given on a division. This may appear unnecessary to the general reader and it takes up space, but the object is to revive the names of old members who have long since passed away, and will be of interest to their descendants. Again, to many persons who take no in-



THE OLD PROVINCE BUILDING.

Destroyed by Fire in 1880, wherein were fought all the Great Battles for Responsible Government. Interest in historical matters some of the reading may seem dry—but those can pass over to other columns. On the whole, however, the writer believes that most of the readers of PROGRESS will be sufficiently interested in those letters to follow them up week after week and preserve them as they would a book for future reference.

In those early days the battles fought for Responsible Government were more formidable than any since, whether Provincial or Federal. They were not mere contentions for office, upon modern defined issues, but for great underlying principles, for the uprooting of old practices and old prejudices, and the substitution thereof of a more equitable order of things—a government of freedom, in which every man in the country and the Legislature should stand upon a fair footing, and thus have the same voice in all appointments and in the administration of public affairs. No one at the present day can form an adequate conception of the struggles through which the early Colonial reformers passed, leading at one time to a great rebellion, that of '37,—except those who were present and are now alive to tell the story. The Press in those days was less confiding in the honesty of party than in its principles—nor was it influenced by the rewards, present or prospective, that wait upon subservency. Indeed politicians had not arrived at that fine code of ethics, which permits the buying and selling of men like so many sheep in the shambles. The public moneys were held as a sacred trust for legitimate public purposes,—while what is now called "boodles" was a term that had not yet found place in our vocabulary, but which since the days of "confederation," or when that great event began, teachers and scholars aglore have not been

long in discovering its meaning and the pillering practices represented thereunder. The Conservative party, however wrong in their political teachings, according to the canon of their opponents, were men of honor and integrity, as much so as those who opposed them and sought their overthrow. Things have greatly changed since then. Even the honors of "rank"—known

to flow from a pure fountain, however devious or crooked the paths which lead thereto—do not in every case sit upon brows free from unpleasant suspicions. Politicians now-a-days stand upon the order of their doings as formerly—nor do they hesitate about stooping to ignoble means for the attainment of selfish ends.

Such men as the late L. A. Wilmot and Charles Fisher should never be forgotten by a grateful country—for to these two gentlemen chiefly we are indebted for the system of government of which we are in the enjoyment this day. They fought the battles of Responsible Government day in and day out upon the floors of the Assembly against most formidable odds—nor did they lay aside their weapons until the blows they had been dealing for so many years had pierced the armour of their adversaries and forced surrender. We read of statues being reared in the Upper Provinces to Politicians whose reputations in some cases do not rest upon as solid foundation as the granite which sustains their effigies. Let New Brunswick show the same spirit, and remember Wilmot and Fisher, in enduring brass or marble, upon the Banks of the St. John River, in front of Fredericton's Parliament buildings.

Although some time has elapsed since the former publication of Political Notes, the subject, it is believed, has not lost its interest by the long delay; and it might be added that it is doubtful if even now it



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would have been resumed, had it not been for the request of many friends and persons of prominence, that a second volume should appear—such prominent persons for example (from each of whom I hold, unsolicited, personal letters) as Hon. T. W. Anglin (at one time Speaker of the House of Commons)—the Marquis of Lansdowne (when Governor General)—the Rector of St. Mary's Church, Rev. W. O. Raymond, St. John—the late Joseph W. Lawrence—ex-Governor, Sir Leonard Tilley—Hon. Judge Wilkinson, Miramichi, Dr. Stockton, M. P. P., Ex-President of the Historical Society, St. John—Collector Ruel of the Customs' Department, St. John—the Hon. Judge Steadman, (formerly Postmaster General), and many others. Nor does the writer suppose that it is from any literary merit in the work itself that this desire for its continuance is thus expressed by those gentlemen; but rather that a faithful Legislative record, in condensed form, might be preserved for future reference, and for the use, as the years go on, of members of the House of Assembly who may desire to look into it for precedent.

The Old System.

In order to some understanding of the old political system, and as an introduction to these letters, the following remarks are offered:

From the settlement of this Province up to the year 1851,—when the system of Government under which we now live, was first put into operation—the conduct and management of public affairs and business, and the distribution of patronage, vested in the hands, and were under the control of a dominant class. The "family compact," as it was familiarly and systematically styled by those outside the pale, was composed of men of consideration who, with seats in the Executive Council, held all the higher offices to which large salaries were attached. The compact was a kind of autocracy—the members of which maintained they were not amenable for their acts to the people; but while holding themselves independent of the popular voice, they were subject to a higher power than their own—namely, the

Lieutenant Governor, who carried out the will of the Colonial Secretary. The Province in the first half century of its existence was in fact governed from "Downing Street." Holding their positions and offices from the Crown, it was the interest of the council to uphold the prerogative in the hands of the Lieutenant Governor; and it happened that the members of the Executive seldom resisted any encroachment of the Governor on the power it was assumed they possessed in virtue of their positions. If the advice tendered by the Council on any grave matter was disregarded by the Governor, because it was contrary to the views he himself held, or not in consonance with instructions from Downing Street, his Excellency's advisers were constrained to yield. This state of things was long held, by the leading spirits on the popular side, to be a grave griev-

ance; and to effect a reform was a work to which the rising and ambitious talents of the country addressed themselves earnestly and persistently. In 1840 the cry for "Responsible Government" was loud and echoed on the floors of the House. Year after year from that date, the agitation was maintained, and in conducting it some of the ablest men the Province had produced took the lead. Not until fourteen years after the commencement of the Responsible Government reform movement did success perch upon the banners of the agitators. In 1854 the reins of power were for the first time wrested from the grasp of those who for half a century and more had tightly held them. Then began the system of government by which the members of the Executive held office and power, not during good behaviour, continually, but so long as they could command a majority upon the floors of the House of Assembly. Their "good behavior" is now judged by their good performances, not only in the capacity of advisers to the Lieutenant Governor, but as originators of sound measures for the advancement of the best interests of the country.

These letters usher the dawn of a new political era, commencing with the Fall of 1854, when a strictly party Government upon well defined issues, was formed for the first time, and has been going on ever since, in one continual chain—old links occasionally being removed and new ones substituted—down to the present year—1894. The cause of the downfall of the Administration of 1854, will be fully explained in future articles. The Lieut. Governor (Sir Edmund Head) like his predecessors, exercised a resolute will; but the arms of the reformers in the Assembly had gradually been gaining strong nerve-force—while the eyes of the people were daily being opened wider and wider to the realities of the situation, and the semi-bondage under which outside intermeddling appeared to hold them. The last ounce which bore too heavily upon a long patient country, at length broke the spell of passive obedience, and led to the rupture between the reformers in the House and the Governor's Council, who were charged, tried, condemned and punished for having allowed his Excellency to act and decide for himself in a grave matter, without protesting on their part or resigning their seats on account of the usurpation. It was assumed that the lesson thus taught, in the defeat of the Governor, on account of the conduct of Sir Edmund Head would keep future Governors within the limits of their power, and future Governments up to their responsibilities. The coming of the new Governor to the Province in the autumn of 1854, after the general elections which took place in June, was hailed with great satisfaction by those who expected to see the principles of responsibility fully and fairly carried out. The reputation of the Hon. Mr. Manners-Sutton, as an eminent member on the reform side of the House of Commons, had preceded him and high hopes of him were entertained.

Yet, as will be recounted in these letters he too showed a disposition to act independently of the advice of his Council when a grave question arose between them, and that within a year from the time he was sworn in. And his successor, Hon. Arthur H. Gordon, was also firm set in his own opinions, and as little disposed to be guided entirely, on matters of moment, by his Council. But the disposition of a Governor to act independently was now kept in check by a class of men whom the reform agitation had brought to the front, and were thoroughly imbued with the new theories of government, and determined to carry them out in practice. They were not satisfied to have the form without the substance—the feathers without the bird. And, as it will be seen hereafter, whatever governments have come into power since 1854, they have, when occasion called, maintained their constitutional principles by resigning office when the Governor refused to act upon their advice. These remarks, however, apply to what was formerly called “royal Governors,” sent out from England. Since “Confederation” our Governors are appointed from a class of men who better understand the wants and habits of the people, and the Constitutional rights they possess; and from having served a thoroughly Colonial Legislative training themselves, know how to govern from experience, and not from opinions formed on the other side of the Atlantic, often at variance with the “well understood wishes of the people” on this side.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENBY, Fredericton, N. B.

No. 2.

General Elections—Speeches on the Hustings—Unsettled State of Politics—Government and Opposition Returns in St. John Equal—A Majority of Liberals Elected all over the Province—Departure of Sir Edmund Head and Arrival of his Successor, Hon. J. H. T. Manners-Sutton—Special Session of the Legislature—The Rectrocity Treaty—Strong Party Speeches—Defeat of the Old Government and Formation of the First Party Government in New Brunswick.

The general elections were held in the month of June, 1854. Nomination day in St. John was on the 2nd. The candidates were—

For the city—James A. Harding, Isaac Woodward, S. L. Tilley, and J. W. Lawrence, Esqrs. [All dead but one.]

For the county—Hon. J. H. Gray, Hon. R. D. Wilmot, J. F. Godard, John R. Partelow, W. J. Ritchie, Allan McLean, and William Hawkes, Esqrs. [All dead.]

The principal speakers were Messrs. Partelow, Wilmot, and Gray, on the side of the government; and Messrs. Ritchie, Tilley, and Harding, in opposition. The other candidates spoke more on their own account, as untied "independent" politicians. The sins of omission and commission by the Government, underwent a severe criticism at the hands of Messrs. Ritchie and Tilley, but as stoutly rebutted and defended by Messrs. Wilmot and Gray. It was a war of words between these gentlemen in open air, upon the Court House steps, for some hours; but it is unnecessary to follow the speeches, or even make allusion to the points made, as they will hereafter come up in detail.

The result proved that the Constituency of St. John (the County at all events) was yet in an uncertain, unsettled political mood, being actuated more by personal than party considerations; for the three Government supporters, viz: Messrs. Partelow, Gray and Wilmot—and their most implacable political opponent, Mr. Ritchie, were all returned at the same time. The City appeared to be more consistent, whether from design or chance it matters

not, for Messrs. Tilley and Harding were the choice. Taking City and County, the honours were divided and therefore easy, viz: three Government, and three Opposition. The political equilibrium, however, remained unaltered in the County. In the absence of fixed principles in the minds of the electors, there could be no preponderating influence with one party more than another. The great battles of the Constitution had yet to be finished; desperate encounters had to be made between Liberals and Conservatives; but the army of the former had to look for recruits outside of St. John, for where there were so many personal likes and dislikes, there could be no political affinity, no coherence between those who called themselves Liberals for the expulsion from power of those who were recognized as Conservatives. Mr. Partelow's personal influence carried all before it. No matter what his political faults, (and who was without them?) they were all overshadowed in the man himself. He had only to go among the electors and take them by the hand, and they were converted! Perhaps no public man since the days of Fox, or Wilkes, had a more suave manner, and knew better how to take advantage of the blind side of a voter; all is said to be fair in politics that is not dishonorable. Many anecdotes are related of his strategic skill in privately conquering an opponent; but to relate them here would be out of place.

St. John, however, although by chance, returned three out-and-out opponents of the government, men with tact and determination, two of whom were still writhing under what they conceived to be an injustice done them on a former occasion, a wrong which led them to resign their seats, and retire for two years into private life. This was so far an earnest that the rest of the province would follow the example, and that a majority of liberals, of unquestionable faith, would be elected to the new house.

York county, which at the election four years before, rejected Mr. Fisher, (late Judge Fisher,) now sent him in at the head of the poll, giving him 1185 votes, which was 198 more than the next highest candidate received; although this county was influenced by local rather than political feelings, and thought that Mr. Fisher was

the best man for the special interests of the York. Like St. John then, political principles entered but very inadequately into the contest—chance, however, as in the former county, divided the seats equally between the liberals and conservatives, two and two.

Northumberland likewise made a mongrel return—for the same tide that floated Mr. J. M. Johnson upon the crest of the wave, did not leave a great distance behind him the Attorney General (Hon. John A. Street), the gentleman who not long before this had rendered himself so unpopular to his constituents, that they sent in two requisitions one after the other calling upon him to resign his seat, because they felt aggrieved at his railway conduct, when he told them in substance that he knew what was better for the interests of his constituents than they did themselves. This County, like St. John and York, split up its votes, giving half to the Liberals and half to the Conservatives. Thus three of the leading Councils returned seven Liberals and seven Conservatives, thereby implying that the conduct and merits of the one party on the floors of the House,

were all on one equal footing, and that public opinion was equally divided as to whether any change in the existing system of Government, (with the alleged train of evils incident thereto,) would lead to any improvement or advantage to the interests of the country. The returns for the whole Province, however, as appears below, gave a majority of Liberals elected, which may be called an accidental ascendancy, for which the people generally were not at all responsible—if real principles be taken into account.

The following were the returns for the whole province—those marked thus (*) were new members, although some of them had been in former Houses:—

County of St. John—Hon. J. R. Partelow, Hon. R. D. Wilmot, Hon. John H. Gray, and William J. Ritchie,* Esq.

City of St. John—James A. Harding and S. L. Tilley,* Esqrs.

County of Kent—Robert B. Cutler and Francis McPhelim, Esqrs.

York—Charles Fisher,* Charles McPherson, James Tayler, and Geo. L. Hatheway, Esqrs.

Victoria—Francis Rice and James Tibbits,* Esqrs.

Carleton—Charles Connell and Richard English, Esqrs.

Westmorland—Daniel Hanington, Albert J. Smith, Amand Landry, and James Steadman,* Esqrs.

Northumberland—George Kerr, Hon. J. A. Street, J. M. Johnson, and Richard Sutton,* Esqrs.

Kings—Mathew McLeod, George Ryan, and Henry W. Purdy, Esqrs.

Gloucester—Wm. End* and Patrick McNaughton,* Esqrs.

Restigouche—Hon. John Montgomery, and Chipman Botstford,* Esq.

Queens—Samuel H. Gilbert and John Ferris,* Esqrs.

Albert—Edward Stevens* and Abner McLellan,* Esqrs.

Charlotte—A. H. Gilmour,* John McAdam,* James Brown,* and James Boyd, Esqrs.

Sunbury—Hon. George Hayward, and Enoch Lunt,* Esq.

[All the above are now dead, except Messrs. Tilley, Steadman, McLellan and Gilmour.

Departure of Sir Edmund Head.

In the month of October Sir Edmund Head (being elevated to the Governor-Generalship) took his departure from New Brunswick. A few days previous to this, he held his farewell levee in Fredericton and in St. John, which were well attended. Hon. R. L. Hazen, as Recorder of St. John, read an Address from the Corporation, regretting the departure and congratulating him upon his elevation to a higher position. To which his Excellency made a suitable reply. Sir Edmund was succeeded by Hon. J. H. T. Manners-Sutton (son of a former Speaker of the House of Commons, in later years Lord Canterbury) who arrived in the Province in time to have an interview with his predecessor. The following is the announcement from a St. John newspaper (Oct. 6) of His Excellency's arrival:—

His Excellency the Lieut. Governor arrived in the steamer Governor at 12 o'clock yesterday, and landed immediately afterwards in company with Mr. Partelow. His Excellency is about Mr. Partelow's height, of spare make, and has a dark florid complexion. There was an immense concourse of people at the landing when Mr. Manners-Sutton arrived, who surrounded him on all sides, to obtain a view of him, and crowds followed him through the streets on his way to the St. John Hotel. A Royal salute was fired from on board the Black Ball Line of Packets, as the Steamer approached the wharf. His Excellency leaves town this morning for Fredericton."

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PROGRESS, SATURDAY, JANUARY 20. 1894.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
House of Assembly of New Brunswick,
from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 3.

PERSONAL RECOLLECTIONS.

L. A. WILMOT.—This gentleman was one of the leading champions of Responsible Government, and the greatest orator that New Brunswick has yet produced. In his prime (in the forties) he was the peer of any of the great rhetoricians of Europe or America—far ahead of most of his contemporaries in the two hemispheres, and scarcely behind the ablest of them. The writer, in his fifty years' peregrinations, has listened to many of the great orators of England and America, political and clerical; and for holding an audience spell bound and breathless, as it were, moving them at will to tears or to mirth, Wilmot was matchless. A fine resonant voice, commanding figure, and piercing eyes, were prominent among his natural gifts, while his "action" was all that a Demosthenes could have claimed for it. He was equal to any demand made upon him, whether as a political debater, a platform lecturer, or a Sunday school speaker—in all these capacities he shone brightly and effectively, delighting all and infusing himself, so to say, in the whole corporeal essence of his listeners. He was a man of strong impulses, emotional, impulsive, nervous—not at all times, even in critical moments, reliable in judgment—if at times violent in speech, it was like smoke from the fire: it soon passed off into thin air, for his heart was in its place, and his kindness of disposition ever manifested. He was the son of Mr. Wm. Wilmot, at one time a member of the House of Assembly; and it is said that this gentleman was expelled from the house, on motion of one of the members on the charge of being a Preacher, which meant that as Mr. Wilmot did occasionally hold forth as a local preacher in one of the Churches, he therefore came under the prohibited ban providing that minis-



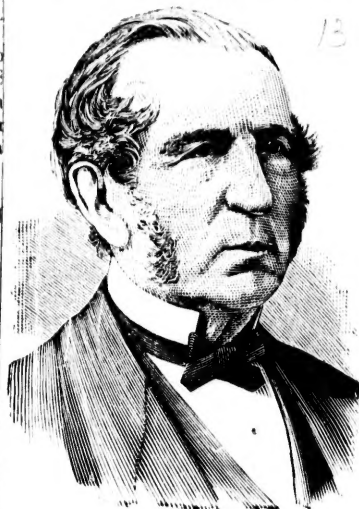
L. A. WILMOT.

ters of the gospel were ineligible to a seat in the Legislature; and it was positively inconsistent and shocking for a "dissenter" and "lay preacher" to represent the people on the floors of the House in violation of the laws of the land and against the peace of the King's most excellent Majesty, his crown and dignity. But the absurdity of the whole proceeding is contained in the fact that there was no law whatever justifying the expulsion—for the law was, as it is now applicable to regularly ordained Ministers of the Gospel, and not to laymen, no matter how often they may preach God's word to erring mortals. The resolution of course was carried, and on leaving the House the hon. gentleman pointing to his little boy standing in the lobby, (the subject of this sketch, then about 12 years of age) said to the Speaker: "Sir, the time will come when that lad (pointing to him) will see that justice is done to my memory, by vindicating on the floors of this House the rights that belong to all classes in this

Province, and when all churches shall be placed on one footing." Here was prophecy fully fulfilled, equal to old Testament times. L. A. Wilmot lived long enough to turn the tables altogether upon the supporters of the old one-sided system, and give effect to the denunciation and hopes of his father.

R. L. HAZEN.—This gentleman is here referred to as the great political antagonist of Wilmot—the two having been pitted against each other—for and against Responsible Government—in the earlier stages of the agitation. Though not the equal of Wilmot as an eloquent speaker, he was a foeman not unworthy of the steel of the former. It was said of Hazen that he never took very great interest in work, but somehow or other those lazy men manage to hold their own and hit hard, and exhibit the fruits of much study, when the time comes for action. At all events, Hazen always exhibited great strength of mind and will whether at the Bar or on the floors of the House; and was perhaps the most formidable opponent with whom Wilmot had to contend. Hazen was backed up by all the old Tory influence of the day, especially the old office holders of Frederick and their adjuncts; and yet he was not so much opposed to the principles of Responsible Government, as he was to the danger he thought of carrying those principles too far—although the old folks generally said they believed in Responsible Government—but it was in the abstract—the details of the system were the disturbing elements in their opposition—in fact it was everything—for the details meant the surrender of office on the forfeiture of the confidence of the House—they meant that the Heads of Departments should be in the House. They meant, in short, too much against them to be regarded with complacency, and so the advocates of the old system fought hard, but the fates were against them. R. L. Hazen is remembered as a fine, stalwart, gentlemanly man, in manners as well as looks. Although to the manor born, he was always approachable by the humble—as a lawyer he was high-minded, and far above the petty tricks of the special pleader. On the floors of the House the same dignity was manifest, and for which no member was more highly respected—it what was considered by his opponents to be of him on the wrong side of politics he was known to be honest in his convictions.

CHARLES FISHER.—If Wilmot was a great orator, Fisher was a great Constitutional Lawyer. Each was essential to the other, as companions in arms on the side of the Responsible Government army. It used to be said that Fisher made the balls and Wilmot fired them, meaning thereby that while the former drew up the resolutions, the latter spoke to them with telling effect—not that Fisher was incapable of doing full justice to his own views and wishes, for he was a debater of no mean order and fully understood the subject he took in hand, which is not always the case with Parliamentarians of pretensions. He was a man of dignified, stately presence, and never failed to impress the House by



CHARLES FISHER.

the force of his utterances. Privately he was not always to be understood—there was a non-committalism about him, even in important matters, which many of his friends could not account for, as though he always felt that his best counsellor was himself, and the least he divulged to others it would be all the safer for his side. It was the want of this frankness which caused the most political capital to be made against him at election times. On the floors of the House, however, he was outspoken and manly—his language lucid and fluent, and his appearance in debate commanding and statesmanlike. As remarked in a former paper, to Wilmot and Fisher are the people of New Brunswick mostly indebted for the free government of which we are in possession this day.

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JOHN H. GRAY.—This gentleman was perhaps the most polished speaker on the floors of the House, as though he had pre-
his speeches over the midnight oil, and set his phrases to music, and his periods to deep, meditative thinking, every point falling into the right place, with the accuracy of a compositor's hand at the distribution case. It is not meant, however, that this gentleman's style was due to such like preparations—it was natural to him—for his impromptu replies to opponents being of equal polish, forbid any such supposition. His matter, however, was at times unequal to the occasion—and although he spoke well, his points and arguments failed oftentimes to convince. Mr Gray was a Conservative of the old school, as will more fully appear in future letters. He was very gentlemanly in his manners, and of a forgiving disposition towards those who criticised his course in the House, as the writer is well aware.

WM. J. RITCHIE.—Probably, and without disparagement to others, this gentleman was the ablest lawyer that this Province has ever known. In saying this, however, it cannot be said that good lawyers make the best of statesmen; for it is no uncommon thing in many Legislative bodies—at present and in times gone by—for laymen of great abilities to be great leaders. Ritchie's power was more conspicuous at the Bar than in the Forum—in the former he was invincible and soon took the lead, or in a few years after his arrival from Annapolis—1837. And yet as a debater Ritchie was formidable and persuasive, not by his captivating style, but by the force of his arguments and the way he wrestled with them; and as he could not be tripped, himself keeping a strong foothold, his blows told with unerring effect upon his unguarded adversaries, and brought them to terms to their own great amazement. Although no rhetorician, no opponent in that line, or even the best satyrst, could daunt or throw him off his guard for a moment. He and John H. Gray could seldom see alike in politics—while the former was a Liberal, the other was a long distance on the other side of the line. Although Ritchie was brought up in an ultra Tory camp, he had the good sense when he crossed the Bay and made himself acquainted with the way in which the wind was setting in this Province, to hoist the Liberal flag, and from that moment he sailed boldly forward, and finally brought up into a safe harbor as the successor of Judge Street. Those who understood Ritchie found in him a very companionable, confiding man. Those who did not understand him thought him still and unapproachable, and with all his liberal professions a great Tory at heart. Nevertheless we can only judge politicians by their actions, and by this standard I always found this gentleman a true man.

R. D. WILMOT.—This gentleman was the very antipodes of his cousin, L. A. Wilmot, in politics. Descended from a good old stock he seemed to act as though it was incumbent upon him to perpetuate that stock politically unimpaired, without regard to time, or circumstances, soil or climate, or surroundings as time might go on—never stopping to think that the world was in motion, and that what might have suited fifty years ago in matters of trade, was all impracticable in later years. He was accordingly a high protectionist and advocate for paper money,—that is, up to the time when he withdrew from active politics. Isaac Woodward, a member for St. John City was a free trader, while the

other member, our present subject, was the very opposite, so that St. John at this time had two strings to its bow in the Legislature—that is to say, St. John as on other occasions went to the polls with one eye open and the other shut. But withal Wilmot was a conscientious man, a better debater than speaker, but his statements were always accepted with respect, it not approval. In his early days "Duncan Wilmot" as he was always called, was a power in the House, and seemed to be master of his theories. He never slunk behind a corner to get out of the way of expressing his opinion on all occasions. What he advocated he believed in without hypocrisy or ostentation in expressing himself. It was as common to team "Gray and Wilmot" on the same side, as to say "Fisher and Wilmot" on the other side. For both it might be truly remarked "hunted in couples." There were many other such couplets in our political days, but not so prominent, not having the same Siamese ligaments. The advance of Responsible Government left Mr. Wilmot and his principles and confreres far in the rear, and had it not been for the new era which ushered in "Confederation," it is very questionable whether a single member of the "old school," including John H. Gray, would have reached the eminence which some of them attained after the principles they so stoutly opposed became settled facts in our Provincial Government.

These sketches will be continued at intervals, or from time to time, as these letters proceed.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 1.

SPECIAL AND IMPORTANT SESSION OF THE LEGISLATURE OF 1852.

The Reciprocity Treaty—The Opposition Strong and Determined to Upset the Government—Denunciation of the Previous Governor's (Sir E. Head) Conduct—His Intermeddling with the Constitutional Rights of the People—Mr. C. Fisher the Leader of the Opposition—His Speech—The Defence of the Government.

On the 20th of October a special Session of the Legislature was called, for the purpose of taking action upon, and ratifying, the Reciprocity Treaty made between England and the United States. The war of party commenced immediately on members proceeding to their chamber. Mr. Hanington was elected Speaker. The House had scarcely heard the Address read by the mover when it began to exhibit signs of insubordination. They would not let the Address read from the Chair. Mr. Fisher brought in a bill; Mr. Cutler another; Mr. Harding a third; and Mr. Tilley a fourth. The Government members spoke of the Session as a Special Session, called to deliberate upon the acceptance of the Treaty, &c. Mr. Ritchie and Mr. End reminded the Government that being convened, they had the right to do whatever they thought it their duty to do, as this was to all intents and purposes a General Assembly, and Mr. Fisher declared that as it was the first Session of the new House, there were many things that must now be settled—amongst others the Government of the country for the next four years.

Mr. Fisher moved an amendment to the Address, and spoke for four hours. He was very severe upon the arbitrary conduct of Sir Edmund Head. He went into a long explanation of his own conduct at the time he retired from the government, and shewed by correspondence never before made public, that he at once objected to the Governor appointing the Judges, and declared that he would not put up with it. Sir Edmund, he declared, sent the notice

to the Royal Gazette, in his own hand writing without showing it to, or consulting the Council. He then went on to attack the present Attorney General (Street) for joining the Government he had just declared "politically dishonest," and in this part of his speech he was politically severe. He was also severe in his comments upon the School and Municipal Laws, and upon the Election Bill brought into the House by the hon. Atty. General and afterwards withdrawn. Mr. Brown followed on the same side. This gentlemen had consented to move the Address, but afterwards finding that the proposition was an endeavor on the part of the Government to entrap him, he declined the honor, and supported the amendment. As this amendment is important, involving the stability of the Government, and their final defeat, it is here copied:

It is with feelings of loyalty and attachment to Her Majesty's Person and Government, that we recognize in that provision of the Treaty which requires the concurrence of this Legislature, a distinct avowal of the Imperial Government of their determination to preserve inviolate the principles of Self-Government, and to regard the Constitution of the province as sacred as that of the parent state. We regret that the conduct of the local Administration during the last four years has not been in accordance with these principles, and we feel constrained thus early most respectfully to state to your excellency, that your constitutional Advisers have not conducted the Government of the Province in the true spirit of our Colonial Constitution.

Messrs Street, Wilmot, Gray, were the leading speakers on the Government side; Messrs. Ritchie, Tilley, Johnson, Smith, Harding, in opposition. Heavy blows were exchanged; and it was evident that the fate of the Government was sealed; day after day as the debate progressed new converts were made to the opposition ranks. Those "doubtful" gentlemen who kept their hands under their desks unwilling to show them to either party or to commit themselves by word or look until they could satisfy themselves beyond peradventure which side would preponderate

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now gradually, one by one, emerged from their shells, and at the last moment threw themselves into the arms of the Opposition, and became great Liberals! On the night of the 27th, the eve before the final division was to take place, the exact position of every member was fixed and understood. The whole Province appeared to be in a state of excitement. The wires connecting with St. John were in continual operation, flashing along the probabilities of the result. Never were the people more political on any occasion—the Liberals at the prospect of finally conquering their old opponents—the Conservatives that all their power and prestige were about to be wrested from their grasp for the first time and forever since the Province was partitioned off from Nova Scotia. The grounds of attack and defence may be thus summarized. It was charged against the Government, by Mr. Fisher the leader of the Opposition, who had been one of the government, but recently retired, that his "contreres" submitted to an undue exercise of authority on the part of Sir Edmund Head. In this wise—Chief Justice Chipman had retired from the bench; and it was

the wish of the Government to reduce the number of Judges to three, and the Master of the Rolls to act as one of the Judges, making four; this vacation of the Chief Justiceship furnished the opportunity, they thought, and at the same time would cause a saving to the country. The Hon. L. A. Wilmot was Attorney General, (1818) and in the order of political succession according to Responsible Government, should have been made Chief Justice; but inasmuch as he had allied himself with the Conservatives a few years before this, (justified by his friends at the time,) ere the Constitution we now have was reduced to proper working order, he had no old Constitutional friends to rely upon and back him up should he make a stand for his rights. The Government advised that the Chief Justiceship should be entailed in seniority. His Excellency after asking for advice and getting it, proceeded on his own ideas of what were right and proper. He accordingly recommended to the Colonial Secretary the names of Judge Carter for the office of Chief Justice, and the Attorney General (L. A. Wilmot) for that of Puisne Judge. Moreover the Judges themselves drew up a Memorial in opposition to the views of the Council, which His Excellency forwarded to the Colonial Office in company with his own—and the Council were not permitted to see it. The appointing power was thus virtually set aside, or taken out of the hands of the Government of this Province, and as of old ere Self-Government was conceded, handed over, as it were, through the Lieut. Governor, to Downing Street. The inner view of this movement may be thus rendered. Mr. L. A. Wilmot had for years been the most determined opponent of "the old compact



HON. CHARLES CONNELL.

party" as it was called; and now having him on their side as their Attorney General, the endeavor was to hold him as their expounder and defender upon the floors of the House. To do this, it was necessary to close the doors of the office of one of the Judges—since Judge Chipman had resigned—which office was Mr. Wilmot's by right of political succession. Instead, therefore, of being actuated by a patriotic and economical desire it was that of selfishness—to hold office as long as possible. And there is still another explanation to be given, perhaps for the first time, to the public. It was not Sir Edmund's attention to appoint Mr. Wilmot to the office,—whoever else he may have had in view,—but Mr. W. insisted upon his rights and produced a document, signed by Lord Glenelg, Secretary for the Colonies at the time when Mr. W. was a delegate in England,—in which His Lordship informed him that at any time he could render him a service not to hesitate about writing to him. The reading of this document brought Sir Edmund to a clearer comprehension of the situation; for he at once saw that with such powerful influences as might be invoked in England by Mr. Wilmot's friends, it would probably in the end tend to his own (Sir Edmund's) discomfiture, and therefore it would not be well to arouse the slumbering lion, by turning his back upon Mr. Wilmot's claims. Suffice it to add, that this gentleman was appointed with Judge Carter as Chief Justice,—and hence all the difficulty with the Government and the turmoil that followed. It was not, however, that the House and the country considered that Mr. Wilmot was not entitled to the office. The difficulty arose on the ground that the Council having as part of their policy advised His Excellency not to fill the vacancy, and then allowing him to act contrary to their advice without protest and surrendering their office.

The following extract from Mr. Fisher's speech will furnish some of the points made in the course of the lengthened debate that extended over four days:—"Had the Council resigned, (said Mr. F.) His Excellency would have been compelled to abandon the appointment or get another Council to sustain him. In the case of Mr. Reade, the Council resigned on that ground, and though the principle was in a very crude state he called a new Council, against whom the House passed a vote of non confidence, and Mr. Reade's appointment was finally cancelled. He would shew that the Governor erred knowing the truth. In his Minute he says—"If those recommendations are at variance with the advice of the Executive Council it is open to the Members of that body to take their own course." He (Mr. F.) did not complain of the political doctrine concealed in this sentence, it was correct; he quoted it to prove that Sir Edmund knew what the true principle was. In plain English if the Council were not satisfied with his recommendations they could resign. If he appointed adversely to their advice, they could retire; if they did not, they were responsible for they must defend the appointment. The dilemma the Governor was in was, with the full knowledge of the constitutional principle he had made a recommendation adverse to their advice, and never showed them or apprised them of it; how, in his own language, could they take their own course? they were in ignorance of his course, how could they take theirs? In this the whole difficulty consisted. He

(Mr. F.) had no doubt, when Lord Grey authorized the appointment, he did it under the impression that the recommendation of the Governor had been shewn to the Council as it ought to have been, and as they had neither remonstrated or resigned, that they had deferred to it. Depend upon it, Lord Grey never would have authorized the appointment in any other way; he never would have interferred with the local patronage to gratify any Governor. After the Governor saw that the Council would tamely submit to such a proceeding, he knew that he had them at his feet. From that day they were prostrate, and to it may be attributed all the subsequent acts of the Government. His whole administration after that had been a government by Despatches, and effort after effort to curtail the principle of self-government and magnify the Colonial Office. * * *

Before he left the Despatch, there was a remark of the Governor's worthy of note. He says, 'I confess myself to be in great perplexity.' That was a state of mind a Governor with constitutional advisors, ought never to be in; why need he perplex himself whether there were three or six Judges, or who should hold one office or the other? His whole difficulty arose from his desire to have his own way, and do as he pleased; and had he been met with that independence and firmness that the rights of the people required, he would have been in much greater perplexity. It must not be supposed that he wished to deprive the Governor of what was his constitutional prerogative. He (Mr. F.) considered the maintenance of the prerogative of the Crown as essential to the liberty of the subject, as the protection of the rights of the people."

This was not the only charge against the Government, but it was the main one and perhaps the most damaging. The Opposition claimed also that this Government was but a continuation of the old one, extending over a period of very many years—indeed since the appointment of Mr. Wilmot to the Bench, and the withdrawal of the Hon. Mr. Fisher, it had resolved itself into its original elements—"the old family compact." From time to time changes had been made—when one member went out, another took his place; it was therefore what might be called an involuntary Government—the old heaven was in the lump, and no new patch put upon it could in the eyes of the Opposition, alter its complexion. It was a change of men without change of principles. And so it was said that the faults committed (it might have been thirty years before) were visited upon the heads of the present incumbents as if they were equally the guilty parties, because when they took office, these faults had not been expiated; and therefore the responsibility in a direct line descended to "the third and fourth generations" of Executive Councillors. But then the defence had something to say in extenuation if not in justification of their conduct, and give their views of the Constitution. And here it may be remarked that the old British axiom—"The Queen can do no wrong,"—seems to have lost its meaning on this occasion; for although her representative is supposed to be enshrined under the same peculiar fiction, "the divinity that doth hedge a King," His Excellency's name and conduct were dealt with upon the floors of the House day after day, as if he alone were guilty of the chief wrong committed, and for which his Council were now put upon their trial.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 5.

The Hon. John Ambrose Street, Attorney General
In Defence of the Government—Curious and Mixed State of Things—The Government Defeated—Members of the New, and First Party Government—Hon. Daniel Hanington, Speaker—The Reciprocity Bill.



HON. JOHN AMBROSE STREET.

The Attorney General (the Hon. John Ambrose Street) made a most able and forcible speech in answer to the lucid speeches in opposition. He complained that the Opposition should have taken the present opportunity to try and defeat the Government, when the Legislature had been called together for a special purpose—to consider the Reciprocity Treaty only. The Government were therefore taken by surprise and consequently unprepared for attack and defence. In regard to the question of the Judges and Sir Edmund Head, this was all settled before he took office, and therefore he could not be held accountable. It had been made a grave charge that His Excellency had compelled his Council to crouch at his feet. Now what did His Excellency do? How did his Council quail before him and lie prostrate at his feet? The Governor had sent

a Message to the Council, which they disapproved of, and upon their remonstrance it was withdrawn. The hon. member's conduct (Mr. Fisher) upon this point had been exceedingly disingenuous, and he (Hon. Attorney General) would say that although not then a member of the Government, or in any way connected with it, and therefore not called upon to justify their measures at that period, yet from the hon. member's own statement, and from the despatches and documents appearing in the Journals of the House, he could not find that His Excellency Sir Edmund Head had, under the peculiar circumstances in which he was then placed, acted wrong, or unconstitutionally, according to Responsible Government; nor did he believe the course Sir Edmund then took was the cause of the hon. member's boasted resignation, which, if the hon. member had been sincere, should have been sent in immediately that he was rejected by the people at the general election of 1850, or failed to secure his return, instead of waiting till nearly six months after that period. On the 25th October, 1850, the Council, after two or three days deliberation, handed the Governor the following Minute:

The Committee of Council having had under consideration the resignation of his Honor the Chief Justice, and His Excellency's Memorandum accompanying the same, and having duly deliberated thereon, are of opinion that it is not advisable to appoint any person to the vacant office, and that such a revision of the Judiciary should be made by the Legislature as will secure the efficient discharge of the judicial duties by three Judges of the Supreme Court, together with the Master of the Rolls, and that the necessary measures should be made to carry out the above arrangement at the next Session of the Legislature.

The Members of the Council, it would appear, after signing this Minute left Fredericton for their homes—and His Excellency complains that he should be left without a quorum for further consultation, which he desired. This Minute, however, had been signed by a majority of his Council. Therefore His Excellency would have been safe in acting upon the advice it contained.

The Attorney General went on to say, that His Excellency being left alone, was perplexed and knew not exactly how to act. He (the Governor) appealed to the Secretary for the reasons which induced the majority of the Council to make the recommendation contained in the Minute, but could get no satisfactory reply; he then appealed to the Judges for their opinion. After having weighed everything over in his mind he wrote the Despatch from which he (Hon. Attorney General) had just quoted, and concluded by pointing out three courses, either of which Earl Grey might advise Her Majesty to pursue: the first to follow the recommendation of the majority of the Council; the second to appoint one of the Puisse Judges to the office of Chief Justice, and to leave a vacancy on the Bench until the Legislature met; and the third to complete the full number of Judges on the Bench, acting on the law as it then stood, without reference to the Legislature. His Lordship had chosen the latter course. * *

The gravest charge (said the Attorney General) brought against the Government was the manner in which the Judges were appointed, the members of the present

Government being held responsible for the sins of their predecessors. He protested against the doctrine; but if the House decided contrary to his opinion, by the passing of the amendment, let them watch and how the principle would be carried out in the new Government. How could they take in any member of the present Government—if that doctrine prevailed—without making themselves responsible for the very sins they now charged the present Government as being guilty of? He admitted that the Government as a whole were responsible for whatever the leader of the Government might say in his place, but he did not hold himself accountable for what the Government had done before he joined them. When Sir Edmund Head consulted his Council upon filling up the vacancy on the Bench, the hon. member (Mr. Fisher) differed with the majority of his colleagues as to the number of Judges requisite in the province, and wrote a letter on the subject to Earl Grey. He knew of the Governor's Message of the 23rd of October, and if he did not like it he ought to have resigned at once, especially as he was not a member of the House at the time; but now he endeavored to throw the blame off his own shoulders upon others. * *

He was always glad to see good feeling prevail in the House, but the hon. mover of the amendment, and other hon. members of the Opposition had eulogized some of his colleagues in the Government, and attacked him, laying all the charges at his feet as though he alone was responsible. The hon. mover of the amendment had disclosed his acrimonious feelings. He (Hon. Attorney General) stood in his

way. He wanted his silk gown, and had strung together a tissue of personal charges to injure him with the country, but he defied his efforts and his machinations. He (Hon. Attorney General) knew nothing about the difficulties between the Governor and his Council previous to his joining the Government; he had neither seen nor heard anything like dictation since he joined. He did not pretend to be a great politician; but it was low cunning, manoeuvre, political tergiversation, and a readiness to accomplish his ends by any and every means, constituted a politician, he (Hon. Attorney General) was both glad and proud to say that he was not one—(hear, hear.)—although others may lay claim to that honor."

The above references are considered all that is necessary for the purpose of conveying to the reader the style of the attack and defence, and probably the arguments used, in this great debate—a debate which led for the first time in the history of the Province, to an entire overthrow of the Government, and shortly afterwards to the formation of the first strictly party Government ever inaugurated in New Brunswick.

On the 28th, the division took place upon Mr. Fisher's amendment to the address:

For Mr. Fisher's Amendment:

Messrs. Fisher,	Messrs. English,
Brown,	Tibbitts,
Ritchie,	Lunt,
Johnson,	Ferris,
Smith,	Ryan,
Harding,	McClelan,
Tilley,	Stevens,
Macpherson,	Cutler,
Hatheway,	McPhelim,
Steadman,	Sutton,
Landry,	McNaughton,
McAdam,	End,
Gilmour,	Botsford—27
Connell,	

Against the Amendment:

Messrs. Street,	Messrs. Taylor,
Partelow,	Gilbert,
Wilmot,	McLeod,
Gray,	Boyd,
Hayward,	Purdy,
Montgomery,	Rice,—12.

Mr. Kerr absent. The Speaker (Mr. Hanington) in the Chair.

This, as above remarked, was the first great party triumph—the real commencement of "Responsible Government," for it led, as will presently be seen, to a Government being formed, which, so to speak, sprang directly from the loins of the people without the admission of a solitary individual whose associations had been in any degree identified with the old party. The size of the majority, two to one took every body by surprise, and it only showed how fragile were the ligaments, and little to be depended on, which kept the old Government in existence for so long a time; for there were some who now voted with the

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Opposition who had been all along steady adherents of all Governments. Had there been no Special Session, which was an unfortunate occurrence for the party in power, the Government might have held their offices until the regular time of meeting—in February—and perhaps by that time might have satisfied some of their wavering supporters that they were not as bad as represented by the Opposition; and consequently the majority against them would probably have been less—if any. This "special" occasion, however, came too suddenly upon the Government; and they were put *hors du combat* before they had time to think that the danger that threatened and the catastrophe that followed were at all imminent.

The new Government were formed after several days' negotiation, and was announced to the House as follows:—

Hon. CHAS. FISHER, Attorney General;
Hon. J. JOHNSON, Solicitor General;
Hon. S. L. TILLEY, Provincial Secretary;
Hon. MR. STEEVES, Surveyor General;
Hon. MR. RITCHIE, } Executive
Hon. MR. BROWN, and } Councillors
Hon. MR. SMITH, } without office,
The Hon. MR. HANINGTON—Speaker.

But now a fresh clap of thunder burst over the heads of the new Government—a declaration of war was made by and from a quarter the least to be expected. Mr. J. R. Cutler, who made one of the longest and most appropriate speeches on the side of the late Opposition, became the champion of the no doubt disappointed aspirants for office, and presented a series of Resolutions in condemnation of the new creation, based upon the following grounds:—1st, because

Mr. Kinnear had not been considered as on the road to the Bench, in place of another gentleman, whose claims had been urged on political grounds; 2ndly, because no Roman Catholic had been taken into the Government; 3rdly, because an insult had been offered to the Agricultural interests, by not placing a representative man in the Council; 4thly, the violation of Constitutional principles by appointing a member from the upper branch to the office of Surveyor General.

This resolution was debated for some time, and thrown out 19 to 9.

The "Reciprocity Bill" was committed, discussed and passed. A congratulatory address to the Queen for the great victory of the Alma, was agreed to by both Branches; and the Legislature was prorogued on the 3rd November. Thus in ten days the whole fabric of ancient rights and exclusiveness was destroyed, and a new Government, consisting mostly of young men, were installed in their places. It was a strictly party composition—called Liberals—or Responsible Government advocates—the system thenceforward to be carried out in its essence, and no longer to be used as a term of pretence to delude and bewilder the unwary. All eyes, friends and foes alike, were directed towards the new Government. Friends expected much, while opponents ridiculed the notion that any good could possibly come out of men, deficient in the training and education which so eminently befitted the old school of Politicians to govern.

The Heads of Departments on going back to their constituents were re-elected.

In my last letter I was made to speak of the special session for the consideration of the Reciprocity Treaty, as having been called for 1852! It should read 1854. Again, the picture of Mr. Connell was prematurely introduced and was not to appear until his time came to go into the debate in which he was concerned.—G. E. F.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 6.

NOTES BY THE WAY.

Opening of the Session of 1855—Speech of the Lieutenant Governor—Reciprocity Treaty—King's College—The Crimean Patriotic Fund—A Vote of \$25,000 Towards It—Government Election Bill—St. John Protestant Orphan Asylum—Bribery at Elections—The Meanness of the Man Who Sells His Vote.

It may not be out of place to state here the positions which prominent members of our legislature, have since occupied under the Dominion Government.

Mr. FISHER—appointed Judge of Supreme Court—died in 1881.

Mr. RITCHIE—late Sir Wm. J. Ritchie, Chief Justice of the Supreme Court of Canada.

JOHN M. JOHNSON—afterwards member of the Dominion Government.

Mr. SMITH—late Sir Albert J. Smith, Minister of Marine in "the McKenzie Government."

Mr. TILLEY—now Sir S. L. Tilley, Minister of Finance in the McDonald Government.

Mr. STEADMAN—now Judge Steadman, County Court.

Mr. GILLMOR—Member of the Dominion Parliament.

Late Mr. CONNELL—Member of the Dominion Parliament.

Mr. BOTSFORD—late Judge of County Court.

Mr. WILMOT—late Lieut. Governor of New Brunswick and President of the Dominion Senate.

Mr. GRAY—late Chief Justice Gray of British Columbia.

Hon. T. W. ANGLIN—Speaker of the House of Commons.

SESSION OF 1855.

On the 1st February the Hon. J. H. T. Manners-Sutton, for the first time, opened the Legislature of the Province. The "Speech from the Throne" was as remarkable for its length as it was for some of the subjects upon which it touched. The Reciprocity Treaty (and the advantages to be expected under it) was referred to—a new importation of Copper Coin into the Province, amounting to £3,000—the defects in the Election

Laws, which led to the impugment of the Sheriff's returns and tedious costly scruties before the Assembly—Education—the Report of the Commissioners appointed to inquire into King's College was promised—withstanding the derangement of business by the cholera during the previous summer, the revenue for the past year (1854) had been larger than in any one single year before—promise of a "budget," or "estimate of expenditures" for the current year, was given. His Excellency, however, hinted that until the Government had the initiation of the money votes in their hands, they could not operate with advantage, as they must be in a position to keep expenditure within income. The Crown Lands and Emigration formed distinct subjects in His Excellency's Speech. Altogether the commencement of the new Session, judging from the tone of the Speech, was auspicious of a fruitful and profitable season.

The Address in answer to the Speech was moved by Mr. Ryan (deceased) and seconded by Mr. McPhelim. Mr. Cutler moved an amendment to the 17th Section, which referred to the system of auditing the Accounts; the friends of the Government contended that it would be unfair to try and condemn an administration that had yet no opportunity of doing anything, good or bad. The amendment, therefore, was voted down by a large majority; and the Address was carried by the same majority, nearly three to one.

There was next a spiny discussion upon the subject of Members having the privilege of using the electric wires at the expense of the Province. Honorable Gentlemen alleged that when they called to pay their bills at the Telegraph Office, they were informed that there had been an open account with the House of Assembly and the Legislative Council, and that members had always freely used the wires under this arrangement. It was remarked that the Province had no right to be saddled with this expense; for members might send telegrams as long as letters, when they had nothing to pay. Almost every member

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o, but as members declared that they
would vote against any appropriation being
made, should the subject come up hereafter,
it is very probable that the Telegraph
Office "stopped the supplies," unless mes-
sages were paid for by individual members,
since the chances of payment afterwards
might not be assured.

Feb. 8. Hon. members had an excel-
lent opportunity this day for the display of
their loyalty and patriotism. The occa-
sion was a resolution submitted by the t
Attorney General in favor of an amount
being granted from the public chest
towards the English *Patriotic Fund*
[The Crimean War was going on.]
The Hon. gentleman's motion was sec-
onded by Mr. Gray, and both distinguished
themselves in neat set speeches, every word
of which was a diamond that sparkled in
the fancy of those who (and there were a
number of the old school gentlemen still in
the House who thought this way) would t
never hear the name and fame of England
mentioned without going into ecstasies,
and feeling that they had a personal as
well as historical interest in the history and
traditions of the mother land—regarding

her as the Mistress of Nations, without a
single blemish upon her escutcheon.

The amount moved was £5,000, which
Mr. Cutler wished to reduce to £2,500.
The original sum was carried unanimously;
and the Legislative Council was asked to
concur also in an Address to accompany
it.

Feb. 14. Mr. Partelow moved a reso-
lution that the members of the House of
Assembly do go into suitable mourning for
the space of thirty days, as a mark of re-
spect and esteem for the memory of the
Hon. Mr. Gilbert, late of the Legislative
Council, who died the day before, at his
residence in Gagetown, County of Queen's.
Carried unanimously.

Feb. 21. For the first time in our
Provincial History, a Revenue Bill was
submitted by the Provincial Secretary, now
a Member of the Government. His ex-
planation showed that every item specified
for certain duties had been carefully con-
sidered, and the calculations closely adapt-
ed. His Financial Statements were also
well received—the income and assets of
the Province clearly explained. He re-
marked that it was the intention of the
Government to proceed with the specific
duties at once, but he was willing to give
time for full consideration. Afterwards he
moved the following resolution:—"Re-
solved, that all duties not exceeding a
certain amount, as well specific as ad-
valorem, be imposed according to the
scale of schedule." Mr. Cutler com-
plimented the Secretary for the very able
expose of the Revenue Bill: it was, he said,
exceedingly gratifying to him, and he most
cheerfully accorded to the Hon. Secretary
his meed of praise; and expressed his be-
lief that the Bill would pass the House by

a large majority. The Speaker in remark-
ing on the Bill, said when Farmers go
to the City of St. John with their pro-
duce, they should have the privilege of
buying their boots and shoes at as
cheap a rate as possible, and not be
obliged to purchase those articles at the
rate of 20 or 30 per cent too high. He
closed by expressing his readiness to agree
with the general principles of the Bill. The
Surveyor General in remarking, alluded to
a former Revenue Bill, and termed it a
bodge-podge Bill. Mr. Wilmot attacked
the Surveyor General's expression in a
decided manner—he said he would defend
the old house! In defence of late Revenue
Act he observed that thirteen steam en-
gines were in operation in Union Street,
St. John. The effect of the abolition of
the Navigation Laws would have ruined
the country were it not for the gold fields
in California. Mr. Hatheway replied—as
a farmer himself he said he wanted
no more protection than the liberty of
working his farm. Mr. Brown remarked
that the Revenue Bill was framed under
five heads, viz: one of specific, three of
ad-valorem, and one of special duty. Mr.
Steadman said it be understood the Revenue
Bill, it was intended to raise such a revenue
as would meet the expenses of the current
year; as such, he would readily support it.
Mr. McPhelim spoke in favor of the Bill.
The debate continued till a late hour.

The responsibility in a matter of such
vast importance being thus boldly assumed
by the Government, had the effect of clos-
ing all the avenues to an unnecessary dis-
cussion of the peculiar crochets of free
traders and protectionists; for the house
at once saw that the Government were in
earnest and would not only be theoretically
responsible in their actions, but persistently
and practically so—would carry their
measures or resign their seats. This, then,
was one great point gained by the reform
movement and a changed Government, as
it would lead to an immense saving to the
country. Heretofore the debates upon
the revenue occupied days and weeks;
every item (as has been frequently shown)
formed a topic of criticism—alteration,
expunction, or reduction. Mr. Tilley was
now the first Minister to essay a new de-
parture in connection with colleagues
equally zealous for improving the working
machinery in all the public departments,
and bringing order out of medieval and
irregular practices. The Revenue Bill
was carried at a subsequent day by a large
majority, with but a single trifling amend-
ment; and thus the promise of a more
healthy management of the finances was
made manifest.

Lengthy discussions from day to day
occurred on a Bill (in itself of very small
importance) for incorporating the St. John
Protestant Orphan Asylum, introduced by
Hon. Mr. Tilley. The title was the grav-
amen which set the whole House by the
ears. It was like a Temperance measure,

an Orange measure, or any other that assumed, or was imagined to assume, a party hue, and it was sure to give rise to a round of electioneering harangues, both by Liberals and Conservatives. These different organizations were duly reminded by the friends of each—for these organizations were all represented in the House—that if encouragement were given to this particular measure, the party or parties who assisted, need expect no support when any Bill of theirs should be presented at any time. Had the word *Protestant* (the institution was to be under purely Protestant government—but there was to be no Roman Catholic exclusion) been omitted, the Bill would have gone through the House with scarcely a word of debate; this prefix stamped it as a sectarian measure, not only so, but led to a misconception of its real character—even, that it was meant to show that the intention was to establish an anti-Catholic institution in our midst. Moreover, the title of the Bill was the means of creating an opportunity for the exhaustion of a vast deal of valuable breath, and a pandering to denominational prejudice, all of which perhaps might have been avoided. The Bill was carried—but at an expense to the Province of several hundred pounds, taking into consideration the time occupied in the needless discussion.

23rd. The Attorney General introduced a Government Election Bill, and delivered a long introductory speech in support of its provisions. The principal features of the Bill were—that qualified voters should

consist of male British subjects, worth £25 in real estate; or, personal property, £100; or annual income of £100. The qualification of a candidate for the House of Assembly £300 over all incumbrances. The voting to be conducted by ballot; and a Registry of persons to be qualified to be prepared by Revisors appointed—three for each Parish—the Registry to be revised every year. Guards are provided against bribery and corruption at elections; but all the guards in the world are inadequate to check such practices—"the ballot," therefore in this respect is not much if any improvement upon the old system—it a man is determined to steal, bars and locks will not make him honest—the great advantage is the ballot receives the independent action of the voter—it he wishes to act independently; if not, therefore, altogether perfect in all respects, it could be made so by the application of the right machinery.

[Note.—It was a lamentable state of things that in a country where men call themselves free, they are at election times the greatest slaves possible to themselves. The right to vote—a man's freedom it may be called—is bartered for gold. However distasteful a candidate may be, and unfair for the position to which he aspires, the corrupt constituent will vote for him when manipulated by the sharpest bidder; and it is not uncommon for some men to take bribes from both sides, and after all vote for whomever they think best or worst. A man who is base enough to sell his vote is not to be trusted out of sight, and it is impossible to follow him up in a Dominion election, for the reason that the ballots are prepared on one kind of paper, and the voter repairs to a room set apart for the purpose, to place his mark upon the paper previously handed to him by the presiding officer. Even under the ballot system it is seldom that a man can be elected to Parliament, or to the local Legislature unless at enormous cost to himself and his friends, amounting sometimes to thousands of dollars—which fact is an acknowledgment that all alike are obliged to enter the field with all this corruption before them. The simple expenses of an election may be covered by a hundred or two hundred dollars—all beyond this may be counted as *seignior* money—used for the purpose of debauching the elector—who for a price will sell his manhood at any time for a few dollars. Many persons in all communities, otherwise accounted respectable, are always at the front at election seasons to sell themselves, or their votes, which is the same thing. That men of this stamp should have such privileges is a misnomer in the genius of our Constitution. They are no better than the creatures of the Egyptian task-masters or the once Southern slave driver, willing to do any kind of dirty work for a consideration! The law is strict and explicit in regard to the elected, but lamentably wanting in the case of the elector. The former, for direct bribery, is not only unseated, but declared unqualified for re-election. In the latter case there is no suitable provision for punishment. The man who sells his vote should be disfranchised for a dozen years at least—for a corrupt man is dangerous anywhere, and is not to be trusted, because he would, if he could, sell the whole town into slavery if he were paid for so doing. These no doubt are strong expressions, but they are the outcome of a deeply rooted conviction.]

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENERY, Fredericton, N. B.

No. 7.

The Election Bill—Vote by Ballot First Time in New Brunswick—The Old Tory Element Does Hard—King's College Again—The Prohibitory Liquor Law—A Great Revolutionary Measure—Rum, Rum, Rum, the Cause of All the Trouble—The Measure Finally Carried.

The discussion of the Election Bill turned chiefly upon the ballot. The "old school" Members contended for what they called the manly British viva voce principle—that secrecy was dangerous and undermining in any case, especially in returning Members to Parliament. The Reformers, on the other hand, could not say enough in praise of the ballot. It was the only guarantee for the purity of elections. Both parties wrung the changes out of their respective favorite theories—each side drawing deductions from prepossessions which had grown into their understanding to such an extent, that they felt that their religion was wrapped up in the question.

Mr. Street (Ex Attorney General) followed Mr. Fisher. He was opposed to "the ballot," also to extension of the franchise; and gave his reasons at considerable length for his opposition. Messrs. Gray and Ritchie also spoke at length, the former for two and a half hours condemnatory of the general principles of the Bill, and the latter about the same time, combatting each separate argument advanced by Mr. Gray, and in support of the measure. Mr. End remarked that the people of the Province would bless the present House for giving them the ballot, which would relieve them from tyranny and ledger influence. The essence of the ballot, he said, is protection to the voter, and therefore it should be made as secret as possible.

Some members contended that the franchise was too liberal—the Bill went too far in all its provisions; while others declared that it did not go far enough, because it did not provide for universal suffrage. There was thus a variety of opinions to be weighed, investigated, and reconciled, in order to convince the House and carry the

measure; still the Government knew their strength and their abilities to carry whatever they might introduce.

On the 2nd March, Mr. Street moved an amendment to the first section of the Bill, to the effect that the old law should be continued, which led to a fresh round of speeches and a dreary reiteration of the old arguments.

As the debate, however, narrowed down to a single point towards the last day, the opposition diminished, and so it was maintained by those who were considered to be the main supporters of the former Government, and who still held seats in the House. The Bill was finally passed without amendment—28 to 10. This then was the introduction of "the ballot system."

The Commissioners appointed during the previous Session to inquire into the condition of King's College handed in their Report, which contained a number of suggestions, "good, bad and indifferent," for the improvement of the Institution—all which formed at the time quite a topic for newspaper comment. As the subject is not considered of sufficient importance at the present day, it is merely referred to here, in order that those more immediately interested may know where to find the information. Some of the suggestions were considered to be crude and amusing, exhibiting a want of understanding in particular respects of the demands of a first class educational establishment.

[NOTE.—As the discussion was quite exciting, any one deeply interested will find it in the Morning News of March 7, 1855.]

March 3rd. Hon. Mr. Tilley brought in a Bill to prevent the importation and manufacture of and traffic in all intoxicating Liquors in this Province. Received and laid on the Table; and one hundred copies of the Bill were ordered to be printed.

As this was a most important measure and led to revolutionary consequences, it is here copied for the information of the young Temperance reader.

10 The first clause declares that whoever shall manufacture, import or bring into the Province, sell or keep for sale any liquors, shall, on the first conviction, forfeit the sum of ten pounds, and on every subsequent conviction suffer imprisonment for not less than three or more than twelve months. The liquor shall be forfeited and destroyed.

The Sessions in any County, or the Council shall annually appoint an agent in each Parish, to import, buy and sell liquors, for medicinal, mechanical, chemical, or sacramental purposes, and no other.

It shall be the duty of every Revenue Officer to search all vessels coming into the Province, and any vessel or conveyance in which liquors illegally imported shall be found will be forfeited but "such a reasonable quantity of liquors as are required for ship stores found in any vessel arriving at any port shall be exempted from seizure." The master of any vessel having liquor on board, the owner or consignee will be required to make report on oath, as they now make entries under the law for the collection of the Revenue, &c. All liquors illegally imported shall be dealt with as smuggled goods.

Any peace officer—that is, Sheriff Deputy Sheriff, Constable, or person authorized to execute a warrant—may with or without a warrant, search for or seize liquor, only making report to a Magistrate if a seizure be made; and any officer neglecting or refusing, when requested, to search for or seize liquors, shall forfeit a sum of \$10.

Any person, though only in the employment of another, importing or selling liquors, or in charge of liquors illegally imported, shall be dealt with as if he were the importer or seller.

Any Justice may issue his warrant, or when liquors are seized may condemn them if illegally imported and order them to be destroyed and impose the penalty on the party importing or selling; and the condemnation of liquors shall be a bar to any action or claim against the person seizing.

If a person make information on oath before a magistrate, that he believes liquors intended for illegal sale are kept in any place, the Justice shall issue his warrant, the place shall be searched, and if liquors be found the person named in the warrant shall be arrested, and if the person so arrested fail to prove that the liquors are not intended for illegal sale the liquor shall be

destroyed. If the owner be unknown a notice is to be published after the seizure, and no claimant appearing the liquor is to be destroyed.

If an appeal be made and the judgment be confirmed, the appellant shall pay double penalties and costs.

Payments for liquors sold in violation of the Act shall be void, and the amount so paid shall be recoverable. Sales, conveyances, mortgages, &c., given in whole or in part on account of liquors so sold, shall be void as between the purchaser and seller.

A peace officer shall apprehend on view any person found in a state of intoxication in any public place, and detain him in custody until he is sober, when he shall take him before a Magistrate, and the person shall on oath give information of the person and place of whom and at which he may have purchased any liquors within twenty four hours of the period of the arrest; and if he refuse to give information, the Justice shall commit him to gaol until he give the information, or until he shall by such Justice be discharged.

Able speeches were made on both sides in the discussion of this Bill which occupied several days. That some of the grounds taken in opposition to the Bill may be seen, a quotation is here made from Mr. Boyd's (Charlotte) speech. He said he had experience both ways. He referred to 40 years ago, when the population was much smaller than at present, and from the Journals of the House at that time produced statistics to prove that there were 223,000 gallons less of intoxicating liquors imported in this Province in 1854 than in 1814, and from American authority that more crime and drunkenness prevailed in the State of Maine since the introduction of the Liquor Law than before it. Mr. Boyd said he wished to be distinctly understood, that if the Temperance party would go for moral suasion only, he would never drink another glass of liquor again—but if they insisted on saying "You shall, and you shant," he would as distinctly tell them that he would drink *three glasses every day*.

The ball was opened in earnest on the 19th. The "ladies' gallery" was crowded with the "beauty and fashion of Fredericton." Both lobbies under the galleries were likewise filled to their utmost capacity with the rum and no-rum portion of creation,—all interested in watching the progress of a measure that was intended to stop their "daily supplies," through means of a legislative edict. The Hon. Mr. Tilley led off in a long speech explanatory of the provisions of the Bill and the great necessity there was for passing it, for the mitigation of a formidable growing evil, that had been doing more for a number of years in eating out the moral vitals of the country than all other evils combined. In referring to the cholera the previous year in St. John, Mr. Tilley stated that about 1300 persons fell victims to that awful scourge, and that only two temperance men were taken away. He also read from the Report of Dr. Wad-dell respecting the physical debility, wreck and ruin that were occasioned by intemper-

ance. And that in the Provincial Penitentiary out of forty-seven inmates no less than thirty seven were incarcerated through the effects of intemperance. He also referred to a Petition brought in that morning against the Bill, and to meet the objection of losing £29,000 out of the Treasury, it might be stated that from £60,000 to £70,000 or £80,000 went out of the country to foreigners who could have no interest in the affairs of the Province, having no stake in the country. He said that it must sound very musical to the honorable Members' ears to hear *every day* dropping into the Provincial Treasury, as profits on Alcohol—but let them put before them the sight of *four human beings* dropping *every two days* into eternity, by the intoxicating cup—and who would consent to such a sacrifice of human life at such a price :

The general arguments used against the measure, as gathered by reading all the speeches in opposition, may be thus stated. It was unfair to measure the effects of alcoholic drinks by a temperance rule, and condemn the practice as destructive to life. People cannot be legislated into habits of sobriety. All sumptuary laws were mischievous in their tendency, would aggravate rather than allay the evil they were designed to cure. People's habits could not be rudely broken in upon. If the Upas

tree was poisonous it was still the growth of ages, and could not be uprooted, unless by the most violent means, in a day. It would take time to destroy the young fibres that had spread themselves far and wide. So long as men of influence set their faces against all interference with the indulgence of their appetites, no restrictive law could have any effect. People must be educated into a knowledge of the evil which bad habits generate. The slavery to appetite, like negro slavery, cannot be successfully abolished without years of probation and trial.

On a motion by Mr. Street that the Bill be postponed for three months, the House divided—Yeas 17; Nays 21—which was also the final decision upon the Bill when it was carried—although it was alleged by some of the newspaper reporters that one or two honorable gentlemen were not in their places when the final question was taken.

Although introduced by the Provincial Secretary, it was an open question, and not a Government measure. Some of the opponents of the Bill at the time tried to fasten the responsibility upon the Government; but singular to say it led afterwards to the destruction of the Government, not through its failure in passing the Legislature, but in its success with the people.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
House of Assembly of New Brunswick,
from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 8.

Bill Relating to Jurors—Board of Works Measure—
Another great Reform Step—River St. John
Improvements—Measure by Hon. Charles Con-
nell—Initiation of the Money Grants—Opening
of Session of 18 6—English Railway Contractors
Faithless—Another Vote of Want of Con-
fidence in the Government.

The House went into Committee on a
Bill (introduced by Mr. Harding, of St.
John, the late High Sheriff) for authorizing
the Corporation of St. John to dispose of
certain City property.

March 26.—On motion the House went
into Committee on a Bill (introduced on a
former day by the Attorney-General) re-
lating to Jurors. In introducing it, Mr.
Fisher remarked that the Bill had been
prepared by the Law Commission; and
although he might not be particularly wed-
ded to every proposition, yet thought the
provisions of it would prove acceptable.
The Bill proposed the selecting of Jurors
by the regular mode of balloting; and that
every Freeholder, and those possessed of
£100 property—that is, every duly qual-
ified elector—would be drawn once in three
years only, or as they came up in turn. It
would also reduce the number of Jurors
from 12 to 7 in Grand and Petit Juries,
and provide 5s. per diem for each Petit
Juror; also limiting the time of the Jury
when deliberating on a verdict, to six hours.
Mr. Fisher thought that six men would
answer the purpose as a Jury, for it
was well known that three or four intelli-
gent men generally directed a Jury; and
as the Jurors must be paid in order to se-
cure their services, by lessening the number
of Jurors, the expense would be lessened.

Mr. Ritchie took a medium view of the
measure, and no doubt expressed the op-
inions of other members. He said he
thought that the changes proposed would
work unfavorably in Saint John. He
would be willing to reduce the number of
Jurors from 12 to 7, in civil cases, but
would not support the reduction of Jurors
in criminal cases. From his knowledge of
the law, he could say, that perfect unan-
imity of a jury in civil cases could never
be expected. He would therefore prefer
trying the experiment in civil cases. He
was also opposed to limiting the time to
six hours. Although the law which com-
pelled the jurymen to remain in the Jury
room without food, &c., till they decided

on a verdict was a relic of barbarism, yet
it had its good effects; and thought the
discretion of fixing the time was wisely
vested in the Judge. Were the Bill pre-
pared with those modifications he would
not object to it; but yet, he would say,
that the present system works well in St.
John, and he thought it would be better
to leave well enough alone.

The Bill was carried.—The reduced
number of Jurors to find a verdict not to
be made applicable in criminal cases.
In consequence of Mr. Ritchie's severe
animadversions upon the Common Council
on the course of his remarks, that body
called a special meeting for the considera-
tion of the honorable gentleman's strictures,
and passed strong condemnatory resolu-
tions.

March 27th. The Government intro-
duced another important Reform Measure,
viz: A Bill for establishing a Board of
Works—"for the better supervision of
Great Roads, Bridges and Public Works
in this Province." The Attorney General
entered into an exposition of the principles
and provisions of the Bill, and in the course
of his remarks he stated that during the
last 10 years the sum of £360,000 had been
expended on the internal works of this
Province. He also stated there were 30
Supervisors in the employ of Great Roads
and it was part of the Bill to do away with
this part of the present system: and that
by the Bill a new organization would be
created. That there would be a Chief
Commissioner of the Board of Works, and
two Assistants to be political officers, that
one of those Assistants would most probably
be the Surveyor General; and he thought
that the Postmaster General would be a
suitable Assistant. The Surveyor General,
from the nature of his office, would be pre-
pared to render efficient assistance, and
the Postmaster, from his acquaintance
with the mail routes, would also be well pre-
pared; and hence the beauty of the scheme.
The Chief Commissioner to have a fixed
salary of £600, the others to have no
salary.

A long debate followed, the speakers
being generally in favour of the measure.
Amendments were moved, but rejected;
and the Bill finally passed by a large
majority. Here was another example of
the great influence wielded by a Govern-
ment disposed to originate and pass useful
measures for the good of the country.
"The Board of Works" department is

now answerable for the expenditure of all moneys for public works. A great deal of electioneering legislation and time of the House are saved. The Legislative Council passed the Bill unanimously. Honorable Mr. Steeves was the first Chairman of the Board of Works appointed.

March 30. A Bill was committed, the principle sustained and progress reported, for granting the Bye-Road moneys in gross to the respective Parishes, to be expended by Commissioners to be elected by the ratepayers at the Parish Election and to take effect in March, 1856. This was another measure calculated to deprive honorable members of much influence among their constituents.

31st. Fifteen hundred pounds were voted for the improvement of the River St. John above Fredericton.

A Bill was introduced in reference to the Burial Ground in Carleton (St John)—the matter is of no more public importance than to notice a singular circumstance in connection with it. Petitions for and against the measure, numerous signed, were handed in; and the names of several of the same petitioners were on both documents, which goes to prove that the value of Petitions as a general thing, is not always in harmony with the public sentiment.

April 3rd. Mr. Cornell moved the following resolution:

"Whereas, by Resolution of this House of the 21th April, 1851, it was resolved that to ensure the efficient and well working out of Responsible Government, it is necessary that the Post Master General shall be made a public officer;

"Therefore Resolved, That this House affirm the principle set forth in the Resolution referred to.

"The office to have a salary of £600 per annum."

The House agreed to the Resolution, and it was left optional with the Government to make the appointment. They, however, failed to do so, upon the plea that as soon as the exigencies of the public service required the change the principle could be put in force. It will be seen hereafter, that as soon as an opposition Government was formed in a year after this, they at once filled up this office, by the appointment of Mr. M'Phelim to the post.

April 5th.—Mr. English said the House had now been in session two months, and nothing had been offered respecting the placing the initiation of money grants in the hands of the Government: he would now move a resolution to that effect, which he read in his place, and it was ordered to lie on the table.

This resolution appears to have remained on the table, for it does not present itself again in the reports of the day as having been taken up. [It was carried afterwards, as will appear.]

The discussions upon the various items moved in Supply, occupied, as usual, a great deal of the time of the House, continued day after day. A motion for a grant of about £10 would perhaps lead to a debate of several hours. The "initiation principle" was therefore a matter of great importance, and if carried would prevent these tedious and expensive discussions.

On the 12th the Legislature was brought to a close. Several important measures were the result of the labours of the new Liberal Government, such as the "Election Law" "The Ballot," the establishment of a "Board of Works," a "Board of Health"—also assuming the responsibility, for the first time, of preparing a Revenue Bill, and showing an earnestness to stand by all measures. Another and by far the most important feature of the Session, was in the new Government reorganizing the departmental system—the heads of offices having been put into the Government, all to stand or fall by a vote of the House.

SESSION OF 1856.

The Legislature was called together on the 14 February. His Excellency in his opening Speech, spoke of the continued cessation of operations on the Railway works, and that he had directed the Attorney General to proceed to England in connection therewith.

[Note.—The meaning of this is—Messrs. Peto, Brassy, Betts & Jackson, the contractors for the Railway between St. John and Shediac, after commencing operations near St. John and at Shediac, and doing considerable work, suddenly withdrew their men and suspended operations in the fall of 1854. The whole summer of 1855 passed away, and no satisfaction could be got out of the contractors as to their intentions. At length the Government thought it advisable to send the Attorney General to England to have an understanding with the contractors, and it was then ascertained for the first time that they could not carry out their engagements, unless the price per mile was advanced to a figure they named. This was a breach that no one was prepared for, as the firm of "Peto & Co." stood so high that a failure of the National Bank seemed just as probable as this. More especially were people in St. John surprised, when it was taken into consideration that on the signing of the Contract in 1853, (P) a public dinner was given in the Custom House Building to Messrs. Jackson and Betts, two of the firm, presided over by Sir Edmund Head; and in the course of his speech, Mr. Jackson, held in such high veneration—or wished others to do so—the firm of which he was a partner, that he declared that if any one mistrusted the honesty, integrity or ability of the contractors to carry out their engagements he was ready then and there to tear the seals from the parchment, and abandon the work at once. It will be seen in the future how far this self-laudation was realized in practice.]

The governor regrets that the expenditure of the past year had exceeded the income; although the Provincial Secretary's Estimates had turned out to be singularly correct, he states the reason why this excess happened—viz: in the initiation of the money grants not having been placed upon responsible shoulders—the Government—and expresses a belief that the present Session will not pass over without changing a system fraught with such pernicious consequences. He speaks of the report of the Commissioners of King's College (before referred to,) and hopes that this Institution, as well as the other Seminaries of learning, will receive the attention which their great importance demands. The operations of the Board of Works are alluded to with commendation—Members may see at a glance the expenditures made upon the great roads and bridges, their judiciousness and necessity. And finishes by congratulating both branches upon the fall of Sebastopol.

Two members having died during the recess, (Mr. Richard English, of Carleton, and Mr. James Taylor, of York), Mr. Hayward moved that the House go into mourning for one week, which motion was carried.

Feb. 14.—Messrs. Armstrong and Watters were sworn in as new members, the former for the County of Saint John, in the place of Hon. Mr. Ritchie, who during the recess had gone upon the Bench in place of Judge Street, deceased; and the latter for Victoria, (the former member, Mr. Rice, having been placed in the Legislative Council). Mr. Watters was taken into the Government shortly after being elected.

Feb. 15.—Mr. Godard was sworn in as a member for the County of Saint John, in place of Mr. Parétiow, who had resigned his seat during the recess on being appointed Auditor General.

Mr. Hatheway gave notice that when the consideration of the Address in reply to His Excellency's Speech was taken up, he would bring the following Preamble and Resolution before the House:—

Whereas—While the present system of granting money exists in this branch of the Legislature, extravagant and improvident appropriations will constantly be made, and that regard to economy and the best interests of the Province at large, which is due from the representatives of the people to their constituents in the disposal of the public funds, can never be properly kept in view or adhered to;

Therefore, Resolved, As the opinion of this House, that in order to carry out the principles of Responsible and Departmental Government in such a way as to be beneficial to the country at large, the right of Initiating Money Grants should be conceded to the Executive Government, and the practice of the Imperial Parliament in this respect adopted, and further

Resolved, That it is the opinion of this House that such a concession would secure to the people, from whom the Public Revenues are raised, a more economical, just, and equitable appropriation of the Public Money than can possibly exist under the present system, inasmuch as the Executive Government would then be responsible for the objects for which the expenditure shall be recommended."

Here was another evidence of a disposition of the party in power, to eradicate another evil with which the initiative system was so pregnant. It has been seen in previous



HON. JOHN H. GRAY.

numbers that various attempts had been made from time to time to transfer the money power from the House to the Government, but without success—whereas, had the influential members of the House and former Governments been anxious for the change, it could have been made any time prior to this.

Feb. 18th. The Address in reply to His Excellency's speech was taken up and discussed. Mr. Gray proposed an amendment, expressive of a vote of want of confidence in the Government, especially for the expenditure of large sums of money for Railway purposes. The honorable mover spoke for an hour and a half; and was supported by several disaffected Liberals, as well as all the old Conservative members. The opposition threatened to be formidable, although the Government felt themselves to be strongly entrenched. The Attorney General led off in defence of the Government, and spoke for three and a half hours! The reader would naturally suppose that there must have been a great many damaging charges made, and therefore a great deal to explain away, when such an amount of time had to be consumed by the leader of the Govern-

ment. But, it must be remembered that in entering into a long debate, involving the retrospection of a great variety of topics, a large field is necessarily opened up. The ground work being pretty much the same in all such cases, and frequently gone over in these articles in alluding to the, different discussions, it would only be repetition to reproduce the arguments—the charges and rebutments—in a debate like this that has no reference to any particular present parallel. The Provincial Secretary (Hon. Mr. Tilley) especially showed the wholesome financial condition of the Province since the present Government came into power—and the good done by the Liberal Government. Whatever financial depression there was it was saddled upon the mal-administration of their predecessors, the effects of which could not be obliterated in a day; it was alleged that had there been a wish in previous years to alter the system of expenditures, all the extravagance, of which the result was now painfully manifest, even up to the present time, might have been averted. The speeches made on both sides were able and convincing, that is convincing to those belonging to the one side or the other. After a bombardment of fourteen days the House divided:—

For Mr. Gray's amendment: 56

Yeas—Messrs. Gray, Wilmot, Hayward, Street, Connell, Boyd, Gilbert, Godard, Armstrong, Stevens, Montgomery, Botsford, Purdy, McLeod, J. A. Harding, McPhelim—16. [Ail now dead.]

Nays—Messrs. Fisher, Tilley, Johnson, Brown, Watters, Smith, Steadman, Sutton, McAdam, Ryan, Landry, Cutler, Hatheway, McPherson, Tibbitts, L. R. Harding, (Victoria), Kerr, McNaughton, Gilmour, McLellan, Ferris, Lunt—22. [All dead but four.]

Mr. End was absent and the Speaker in the chair. Government consequently sustained by a majority of six. The remaining sections of the address were then adopted, and a committee was appointed to wait upon his Excellency with the same.

[NOTE.—In No. 6, Mr. John M. Johnson is placed in the Dominion "Government," whereas it should have been in the "House of Commons." The reader, however, from time to time will please be indulgent whenever small errors present themselves, for unless the author is on hand to read over "proofs," as the articles go through the press, it is impossible for mistakes not to get into print.—G. E. F.]

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
House of Assembly of New Brunswick,
from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

PERSONAL RECOLLECTIONS.

No. 9.

Hon. John R. Partelow.

There was a time (especially in the forties) when there was no gentleman better known, not only in New Brunswick, but throughout the maritime provinces, than "John R. Partelow," as he was familiarly called by man, woman and child. In his prime he was the main prop and pillar of the Conservative party—not as a speaker or debater but as a silent member, a deep thinker, having wonderful tact and a thorough knowledge of human nature, especially the human nature of politicians in the House, and political plotters outside of the house all of whom coming within his influence were manipulated at will and in the interests of his party. He was of commanding figure, six feet high and well proportioned. There was no hauteur about him, exercising the shake of the hand only at election times, so common with ordinary political parvenues, but at all times—the commonest as well as the grandest ever found in John R. a hearty greeting. To him the old party owed a greater debt than they could ever repay, even the writer of this who was politically opposed to him, could not avoid admiring the man and sinking hostility towards him or rather subduing it, in consideration of his amiable qualities, and when the time came—after the downfall of his party and principles—for appointing this once powerful man, to the office of auditor general (now held by his son-in-law James S. Beek Esq.), and thus making provision for him in his declining years, both Liberals and Conservatives alike, had but one feeling in common in regard to the appointment and by no one person more so than by the present writer. His perceptive powers and intuition on the floors of the House, (he represented St. John for very many years) were most acute and remarkable. A debate upon some resolution before the House which perhaps would occupy hours, both sides laboring under great

excitement, would be suddenly cut short and peace restored, through the magic, as it were, of this shrewd diplomatist. Having in his seat perceived the leading ideas of the speakers for and against and thus fancying he had caught the aims of each member he would frame an amendment to suit all parties which he almost invariably carried, and no oil cast upon the troubled waters could have produced a more sedative effect. On retirement from public life, his health immediately began to wane—caused no doubt, from failure of eye sight, and it may be from want of that stimulus which a more active life, so common to most men of strong temperament, might have averted. When last I met him he was no longer the "John R. Partelow" I had known in his prime forty years before, but the mere shadow of his former self—all but blind, shrunken and decrepid, with faltering steps, and yet the fine dignified gentleman, full of kind expressions towards old friends and old political opponents alike.

William H Needham.

This was perhaps the most remarkable man in several ways that New Brunswick has yet produced. He was small and well developed, both physically and mentally; but had his brain been better balanced, he might have attained to any position desired under the government. It was either the lack of moral faith in himself, or the apathy which waits upon an honorable ambition for the attainment of great ends, which kept him always in a state of uncertainty, and from the high position for which his talents and originality so well qualified him. He was the great reformer of the old City Charter when in the St. John Common Council. Almost unaided he fought his measure through, against all the old togysm of the day in and out of the Council—then a power not to be despised. He suddenly became the people's champion, and was looked up to at this time, as the only man who had yet come forth, worthy of being carried through the streets of St. John upon their shoulders. Had Needham owned a horse at the time he would have had all the human donkeys in town pressed into the shafts. His flag was

always hoisted over the heads of the dear people, but at the same time he never turned a deaf ear to his political opponents behind the scenes, if he found it to his advantage to listen to their siren tongues in a pacific form. Had Needham possessed more steadfastness, and less mobility of character, no power could have kept him from the Bench, long before his death, or when in the ripeness of his popularity, or ere he had developed such strange idiosyncrasies, and played sad havoc with his chances of reward, then so plainly his due. Privately Needham was esteemed by all who knew him for his social qualities and friendship. There was nothing narrow about him—he was generous to a fault. If he spent much he was inclined to spend a great deal more. Had he saved his earnings with the same conservatism, as he dealt them out with a lavish hand, he might have died a wealthy man. But take him for all in all, Needham was a strange insoluble enigma.

Hon. John Ambrose Street.

This gentleman was a son of George Denny Street, and like all the other Streets a man of strong conservative tendencies. He was a brother of Judge Street, who died in England in 1855, and was succeeded by the late Chief Justice Ritchie.

Mr. A Street was Attorney General when Responsible Government was in a transition state—"on the side of the Crown" not omitting "the old flag" as the old folks used to impress it upon their friends by way of contradistinction to those who sought the overthrow of the monarchy, because they contended that, the people had rights as well as the Sovereign. However Her Majesty had no more loyal subject in British America than John Ambrose Street, but like "the last of the Mohicans" he stood almost alone when the days of his party had well nigh drawn to a close, and he almost single-handed, was left to fight the battles of his political friends—and was just the man for the occasion—for like Wellington at Waterloo, in the opinion of Bonaparte, he did not know when he was beaten, and therefore would not surrender until stress of circumstances compelled it. Whether he succeeded or not, he was fully satisfied with the ground he covered. His language was good, but his reasoning not altogether clear to those who differed with him—nor could he see that it was possible while discussing a measure for there to be more than one side to it and that side was the one he held himself. He was rather tedious in debate, not by any means fluent, but earnest and highly respected while speaking without interruption, and on the whole was one of the "best hitters" the Conservatives had. It was thought he should have been his brother's successor on the Bench when the Judge died, instead of Ritchie, but unfortunately for him his opponents were in power at the time and so the plum fell into another basket. Had it been a year later things would have been

different. In private life John A. Street was polite and courteous, and withal frank and generous.

Joseph W. Lawrence, (late M. P. P.)

This was a most remarkable person, in many ways. Had he been born under a more favorable planet, with all the gold-spoon influence of some of his contemporaries, the name of Lawrence this day would have stood out in bold relief among our Colonial Politicians. With all his seeming disadvantages, however, he possessed that individuality of character which will never allow a man to tarry in the back ground who has the ambition to move forward. But then "Joe Lawrence" (familiarily called by everybody) was like many other persons of the "old school,"—subaltern as well as colonel—who seem to be created with certain fixed ideas, such as what is must be right whether socially or politically, and that although the world moves upon its axis unceasingly, and will keep on moving up to the end of time, human knowledge requires that "well enough" should never be disturbed—in short, born a Conservative he should continue so throughout life and so die a Conservative. But it may be truly said that Lawrence was politically honest and consistent throughout, whether in Parliament or out of it, and this cannot be said of all Politicians. Figuratively speaking and by way of illustrating our friend's course, it may be stated that in about the year 1837, four young men belonging to St. John, combined and undertook to proceed on a voyage of discovery—they were all well provided with a good stock of facts and figures for use on the passage, and withal were young men of talents, and unexceptionable habits, and had often been in consultation together devising ways and means as to the best plan of making two blades of grass to grow where only one grew before—if not the alembic for converting everything into gold by the simple waving of a wand. Their party shibboleth was "protection"—this in short was to be the panacea for all the ills of commerce—the tulerum upon which everything was to turn. One fine summer morning these four young gentlemen launched their skill upon the tidal waves of the St. John Harbour, (no fog at the time) perhaps at "Rankine's Wharf." Of course the subject of this sketch was one of the four, the names of the others are not material in the publication for working out this parable. On sailing down the harbour one of the crew discovered that the craft was somewhat cranky, and that the helmsman was

not a first rate navigator (perhaps never having been on the sea before) and there was danger of bringing up on the "foul ground;" and so he began to utter words of caution, but finding all that he could say was unavailable and that destruction was inevitable, he bethought him that he would take time by the forelock, and being a good swimmer and knowing how to keep himself afloat, swim or not, he suddenly plunged overboard, when directly opposite the Custom House, and soon reached terra-firma, good as new. His companions kept on the even tenor of their way and after passing Red Head they drifted out to sea, rudderless, and were finally picked up by a passing vessel, all but drowned. Thus our friend who plunged into smooth water opposite the Custom House, showed his good sense and saved himself a great deal of fatigue, to say nothing of the danger of perishing. From that day to this, (for he could not give up the sea) he has made a number of lucky voyages—being a good sailor, and knowing well how to keep his eye to windward, he has never failed to reach a "sailors snug harbour" as often as storms threatened, or the sheet anchor could not be counted upon. Now for the application. Had Mr. Lawrence gone overboard with his friend, and adopted his laudable plan

Committee on Railways, Canals and Tolls

of swimming for the shore, he would never have got adrift. He stuck to his skill—he went out to sea, and so his "protection" and "conservatism" were the sole cause of being unable to keep pace with his more shrewd compeer. But if Lawrence was not up with the times as a politician, he was as a historian and writer a man of no common order. His information was indeed marvellous. Like Ex-Governor Boyd with no better opportunities, he was a most industrious student—at work day and night upon old tomes, and well up with the literature of the times, as an antiquarian and strictly matter of fact man, Lawrence was as reliable as a clock, (Trinity excepted). As a speaker he possessed a fine sonorous voice, and had it not been for his defect in hearing would have been an able debator. References to his speeches in the House will appear in future numbers. Take him for all in all, Joseph W. Lawrence was a very clever if not an able man. As a loyal and devoted citizen his record stands high.

POLITICAL NOTES.

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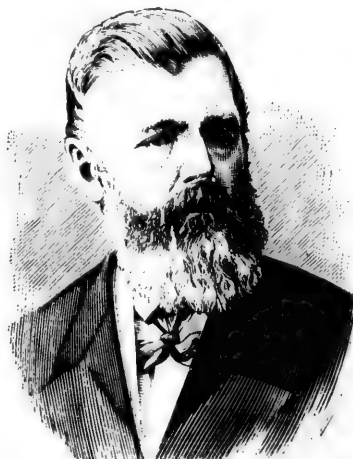
No. 10.

Hon. Members:—Disturbed by the Newspapers—
The Author of "Jenny Morrison"—Mr. Council
and the Initiation Question—Petitions for Re-
pealing the Liquor Law—European and North
American Railroad—Railway Schemes—Peppery
Tariff Discussion—Financial State of the Prov-
ince.

A remarkable circumstance in connection with this Session, was the sensitiveness which honorable gentlemen evinced whenever subject to the strictures of the newspapers. Scarcely a day passed during the debate on Mr. Gray's amendment, when some gentleman would rise to contradict statements made in hostile papers against them; others, that they were misreported, &c. These references would some time elicit sharp rebukes, repartees, criminations and recriminations from the friends and adversaries of the respective papers. The gentleman, for instance, who denounced the article against him, was met by a member friendly to that paper—not to defend the article but to place as an offset an attack even more virulent made upon himself from the other side of the Press. It was certainly a new state of things coming up when newspaper articles were considered to be worthy of such special notice upon the floors of the House. A few years before this, when the very same papers were busy sapping and mining the foundation of the old state of things, these Journals were thought to be beneath the dignity of the House. They were doing the work of reformation nevertheless, although considered at the time to be quite harmless institutions. The Solicitor General (Hon. Mr. Johnson) at length proposed a resolution by way of burlesque that no newspaper be permitted to express an opinion conflicting with that entertained by this House.

[An Editor of a Glasgow paper (a big-goted Tory, but most clever writer) wrote day after day in opposition to the wishes of the people. A meeting was called one night in Glasgow, to devise some means to get clear of this troublesome creature. It was urged that he should be kidnapped and put under ground in one of the Coal Mines in the neighborhood, for six months, or until the Reform Bill should be carried, when he was to receive his liberty. A resolution was drawn up to this effect. When it was put to the meeting, a gentleman rose and saved the Editor, by asking—"What, bury the author of Jennie Morrison?" It was enough. The Editor's Poem had taken such a hold of the working classes in Scotland, that when the author's name was mentioned in connection with his being lynched, they resolved not to lay violent hands upon him.]

March 1. In consequence of the death of James Taylor, Esq., Mr. John C. Allen (now Sir John) was elected for York, Mr. Needham being the rival candidate, and was introduced to the House this day by the Attorney General and Mr. McPherson.



HON. CHARLES CONNELL.

Mr. Connell gave notice of his intention to move the following amendment to Mr. Hatheway's Resolution, respecting the Initiation of Money Grants:—

Whereas it is desirable that the country should be prepared by the management of our local affairs, to aid the Government in the Initiation of Money Grants;

Therefore Resolved, That so soon as the Government shall submit to the House a Bill making imperative the incorporation into Municipalities of the several Counties of the Province, and the same becomes a law of the land, then this House by virtue thereof, surrender into the hands of the Government the right of Initiating Money grants.

10th. Mr. Harding by leave, presented a Petition from Charles Simonds, Wm. O. Smith, and 24 other Justices of the Peace, together with 7,600 inhabitants of the city of St. John praying that an Act may pass to repeal an Act prohibiting the importation, manufacture and sale of intoxicating liquors. Mr. Harding observed that there were 10 names of either women or children on the Petition.

Petitions, day after day were handed in by different members from brewers and other persons, asking for compensation for losses entailed upon their business through the introduction of the Liquor Law.

11th Attorney General Fisher laid before the House a Report of his Railway Mission to England. Also a bill relating to the European and North American Railway; a Bill to levy an impost for Railway purposes; a Bill to authorize the construction of Railways in this province. a

bill to provide funds for the above purposes. The report is very voluminous, and touches upon a variety of important topics in connection with the resources and affairs of the Province. The interview with Messrs. Baring was highly satisfactory to the supporters of the Government. That firm agreed to take our Provincial Bonds to the amount of £800,000, at 6 per cent., and float them in the English market, in the event of the Province undertaking to build the Railroad in place of Peto & Co. They also agreed to give a credit of £50,000 sterling in any or every year that the work was progressing, payable with interest on the last day of each year." It was ascertained of the contractors (Peto, Brassey & Co.) who had already the work well in hand, what were the difficulties by which they were beset and stood in the way of their fulfilling the contract, and that it was requisite, they urged, that further facilities should be given to enable them to prosecute the undertaking with success. These propositions the delegates were not in position to accept. It was finally agreed to relinquish their contract, transfer to the Province all the work done on the Road, and materials thereto in the Province, with the surveys, plans, &c. They were also to relinquish any shares they had in

the Company, and Company's Bonds, the whole for the sum of £90,000 sterling, including the Debentures already given them; payment to be made on the first day of June following, in Debentures redeemable in thirty days. It was also agreed that if this arrangement was not adopted by the Legislature, Messrs. Jackson and Company were to have three months further time to complete their contract, which in all other respects was to remain in force.

The opponents of the Government, out of the House as well as in it, were indignant that such a sum as £90,000 should be paid to the contractors, especially when the Province had them in their power and could bring an action for damages against them at any time, for failing to carry out their obligations. On the other side it was as stoutly argued that "the plant" and work already done had been fairly estimated—building, iron, sleepers, surveys, locomotives, &c., included—by disinterested parties, and that the price named was favourable to the Province—besides it was further argued it would be better to pay even a little more than be subject to a repetition probably of further delays and similar annoyances. As regards suing the firm, (the Contractors themselves being the principal members of the European and North American Railway Company) it was said would lead to an indefinite postponement of the work—perhaps years would be frittered away; in the meantime what was already done on the road would go to destruction, and as to recovering damages from a firm that had proved its inability to proceed, it was a prospect so dim that the chances of a prize in a lottery would be more hopeful.

The Railway scheme now submitted to the House in the Bills named, provided:—

1st—"European and North American," with extension from Shediac to Miramichi.

2nd.—From St. John to Woodstock, via Fredericton—with a view of ultimately connecting with Canada.

3rd.—From St. John to Calais, or Western extension.

The work, it was provided, could progress as follows:—

1857 and '58.—Line from St. John to Bend, to be commenced and carried on vigorously, if not completed—the expenditure to be £300,000; and £50,000 each on the extension to Miramichi and Fredericton.

[Note.—This was afterwards amended by the Attorney General, so that the extension should commence at Fredericton and be continued upwards, and not less than £50,000 be expended on it in 1857.]

[Or £400,000 altogether for 1857 and 1858.]

1859.—Line from St. John to Calais to be commenced—and the extension to be continued to Miramichi and Fredericton £200,000 more; and so on until all the lines are completed.

The Railway Board is to consist of five Commissioners.

This scheme was calculated to excite great expectations: for it was very ingeniously concocted. Every important point—here there and everywhere, as will be seen—was embraced. Indeed had it not been so arranged, it is doubtful if anything could have been done in the presence of such strong sectional feelings, especially in regard to existing railroads; although this may not have been the belief of those who prepared the measure. No doubt the Government considered that the money (£800,000 sterling) was ample for all the lines, certainly much more than a commencement; and that those named were all desirable and deserved by the inhabitants.

In order to meet the interest on the loan, a duty of 2½ per cent. was to be levied on all importations, which was carried—15 to 24.

When the Bill was considered, a certain honorable gentleman (since deceased) who had been in opposition, rose, and with the utmost gravity remarked—"It is no use to legislate any more. It is no more use trying to disguise the fact—I acknowledge I am out of humour; for henceforth the country will be certainly ruined."

15th The Provincial Secretary submitted his financial statement, showing in detail the expenditure and income of the Province for the year. This was the signal for a peppery fusillade between and at the respective friends of the old and new Governments. One side contended that the ex-Government had through their extravagance, or recklessness, left the finances of the country in an embarrassed state,—nay, with an increase of debt, which, considering the resources at command to meet it, it would be most difficult to manage. The leaders of the late Government as strenuously denied the charge—they contended that every expenditure that had been made, was absolutely requisite for the services named; and that it was but a pandering to the public prejudice, and to make them-

selves appear immaculate before the country, that the present Government made such attacks. These furies raged so fiercely at times that on one occasion, 15 March, Hon. R. D. Wilmot (Surveyor General in the previous Government) gave notice of his intention to move a resolution for the appointment of a Select Committee to investigate the expenses of the old and new Governments and report thereon." There was some proof at all events that the former Government were anxious to have their skirts cleared of the imputations that had been thrown out. Frequently during the remainder of the Session the smouldering flame of party would break out afresh, and blaze away for hours; and perhaps, making due allowances for exaggeration, the tendency was good. The people had in the heat of debate, the evidence not only of party Government maintained upon party principles, but of party zeal which when pushed into action within Parliamentary limits, was sure to bring to light the most trivial acts of the Government. One

party was a watch upon the other. The smallest discrepancy was sure to be discovered and laid bare in a loud burst of indignation. Previous to the formation of the present Government, no such check existed, for the country was either controlled by an Oligarchy, or a combination of the most talented men, (called a coalition) the representatives of opposite parties, but in consequence of their official positions, were unable to be of any use to the cause of reform—nay, rather an injury, inasmuch as the rising party in the House, being without a suitable helmsman, was incompetent to make any steady headway.

The Secretary, however, succeeded in convincing the House of the correctness of his financial calculations. One thing, at all events was yet wanting, viz.; "the initiation of the money votes in the hands of the Government;" but the attainment of this desideratum was now close at hand. The Secretary's statement in gross, may not be uninteresting at this day if copied here, as it shows the old style of services performed, and by whom, and the salaries attached thereto:

ESTIMATED EXPENDITURES FOR NEW BRUNSWICK FOR 1856.

<i>Sums provided for by Law.</i>	
Civil List.....	£14,500 0 0
Clerk of the Pleas.....	250 0 0
Judge Parker.....	800 0 0
Clerk of Crown on the Circuits.....	250 0 0
Interest on Debt.....	6,190 0 0
Education.....	19,000 0 0
Andrew Barberie.....	100 0 0
Provincial Penitentiary, Salary to Provincial Treasurer.....	300 0 0
Pensions to old Soldiers, Agricultural Societies.....	500 0 0
Post Office Department, Expenses of Legislature, Jurors' Fees.....	420 0 0
Board of Health.....	2,800 0 0
Fishery Wardens.....	4,500 0 0
Fishery Societies.....	9,000 0 0
Expenses of Board of Works.....	1,200 0 0
	1,100 0 0
	£62,860 0 0

<i>Sums to be appropriated by the Legislature.</i>	
Education.....	£3,000 0 0
Provincial Penitentiary (maintenance).....	1,500 0 0
Collection and Protection of Revenue, and Con- troller's Department..	6,500 0 0
Printing, &c.....	2,000 0 0
Great Roads and Bridges, Chief Commissioner's Estimate.....	10,730 0 0
Bridges under Contract, Internal Navigation.....	8,000 0 0
Public Buildings.....	2,250 0 0
Lunatic Asylum.....	750 0 0
Indians.....	4,000 0 0
Gratuities, Return Duties, Miscellaneous.....	250 0 0
	6,000 0 0
	50,980 0 0
	£113,840 0 0
Balance towards Bye Roads....	4,554 0 0
	£118,394 0 0

<i>Estimated Revenue under Existing Law.</i>	
Ad-valorem.....	£64,225 0 0
Specific,—including Liquors imported in November and December.....	27,669 0 0
Export.....	16,000 0 0
Casual and Territorial.....	10,000 0 0
Supreme Court Fees.....	400 0 0
Auctioneer's Duties and Pedler's Li- censes.....	100 0 0
	£118,394 0 0

THINGS OF VALUE.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
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By G. E. FENEY, Fredericton, N. B.

No. 11.

Apally of Members in Bringing Forward Their
Bills—Earnest Temperance Discussion—Church
of England Bill—Who Should Appoint the Rec-
tor or Minister—Initiation of Money Grants Car-
ried—Change in the Appointment of Common
Clerk—The Late John M. Robinson and W. R.
M. Burtis, Esqs.

What appears most remarkable at this time is that several important Bills and resolutions which had for some time been lying on the table, were only incidentally referred to, when questions were asked, notwithstanding particular days were set apart for their discussion: but when those days would arrive the Members were either not in their places, or not ready for "the order of the day." There was for example, Mr. Hatheway's resolution for considering the initiation of the money grants—Mr. Connell's resolution for withholding the surrender until Municipal Corporations were established—Mr. End's Bill for the repeal of the Liquor Law (a measure calculated to stir up more controversy than perhaps any other.) Time wore on—the season was getting late—but those and other like important topics were avoided, as if both parties were timid to touch them. As an instance of the manner in which those topics were nibbled at, the following conversation upon the subject of the Liquor Law may not be uninteresting, not only on account of the question itself, but as exhibiting the constitutional views held by different members, some of which it will be seen are rather crude.

Hon. Mr. Smith denied that it was a Government measure. He held that the Executive Council could not do otherwise than recommend its sanction after the Law had passed both branches of the Legislature. Mr. Street said he was more strongly confirmed in the opinion it was a Government measure, from a statement made by Mr. Tilley in a recent speech that before the Law should be repealed without having a fair trial, he would sooner see the Government sink. Hon. Solicitor General said,

as a counterpart of what had been stated by the Secretary, if his (Mr. Johnson's) vote, for the repeal of the Prohibitory Law should sink the Government he would not withhold giving such vote. Mr. McPherson wanted to see a Revenue Bill brought down before the Bill for the repeal of the Prohibitory Law was taken up. Mr. Hatheway referred to the Minutes of the Council, and said he did not understand how it was that Messrs. Johnson and Tilley should so express themselves, if the Government by the document referred to were all considered responsible for the bill. Mr. Steadman (now Judge) thought the question of raising a Revenue had nothing to do with the repeal of the Prohibitory Law. If the Bill was right let it stand upon its own merits: the Government had no right to suppose there would be any deficiency in the revenue by the operations of the Law, and therefore it would be premature in them to prepare a Bill to that effect. Mr. Wilmot said that if the Government were not responsible for the Bill they were for the deficiency in the Revenue. Mr. Cutler said that the principles of Constitutional Government had been adhered to when the Executive recommended His Excellency to assent to the Law. After the Bill had passed both houses of the Legislature, he (Mr. C.) held it to be the imperative duty of the Ministers of the Crown to act as they did.

[NOTE.—Nothing can be clearer than this question. To make it a Government measure, it must be introduced as such, and in such a way that there can be no misunderstanding. On the contrary Mr. Tilley introduced the Bill as a private one on his own responsibility, and it was so fully understood. But the object of the opposition was to trip up the Government no matter how—hence their insistence upon this being a Government measure.]

The consideration of this Law reminds one of the volcano in the distance not a very great distance either, to the brink of which the Government is hastening. The above conversation is but the rumbling of the internal fires, which are soon to belch forth into eruption—the overturning of the Liberal party and the

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serious crippling of its comely child—Responsible Government—in the house of his friends, and in the presence of its sponsors, after many years of hard struggling.

The mania for making long speeches this Session was remarkable. Unless some hon. gentleman had the floor for three and four hours, they and their friends did not appear to consider that they had properly acquitted themselves. This was especially the case in discussing the Railways Bills from day to day.

On the 22nd March the House not being very full, it was moved that the question be taken, as the "next speaker" was not forthcoming. Mr. Gilmor resisted the motion. He said that he intended to speak himself on the Revenue; his notes, however, were only of sufficient length, he said, to enable him to make a speech of three and a half hours in length; and as it was his desire to speak *four and a half hours*, he thought he could wait for another day. This was considered to be a most happy hit at long story tellers. Dr. Franklin, it is said, never made a speech in his life that exceeded half an hour; but then he said as much in that time as most of his contemporaries could have in half a day. He did not utter a superfluous word,

and consequently all that fell from his lips was the pure metal without the usual dross, a thing not found wanting in the laboratory of common sense.

March 28. On motion of Mr. Gray the House resolved itself into Committee of the Whole in consideration of a Bill relating to the Church of England. The mover explained the features of the Bill, and the nature of the privileges asked for by the Wardens and Vestry of Saint Mark's Church in the City of St. John. Messrs. Street, Johnson and Tilley followed—the latter gentleman in support of the Bill. It was argued by some members that the Bill proposed to give to the Church-Wardens and Vestry of the Parish the right to accept or reject the Clergyman whom the Bishop might appoint to preside over the congregation. Mr. Allen contended that it was taking the power out of the hands of his Lordship that was vested in him by the Ecclesiastical Law of England. He was also opposed to the passing of the Bill inasmuch as it was asked for by only one Church, and not by all the churches throughout the Province. Mr. Armstrong supported the Bill, contending that the principle which gave to the Bishop power to grant Licenses to Clergymen to preside over a Congregation, irrespective of the will of its members, was incorrect. Mr. End opposed the Bill in a lengthy speech, and contended that if members of a congregation did not agree with the doctrine enunciated by their clergymen they could withdraw from the church. Several honorable members differed with the views expressed by Mr. End. Mr. Gilmor stated that the honorable gentleman had changed both spiritually and politically since October, 1854. Mr. G. supported the Bill, and looked upon it as a

species of hardship where a congregation had no voice in the selection of a spiritual teacher. Mr. Street contended that it would be wrong to pass the Bill when it was only asked for by one Church, and not by all the Churches of the Provinces. He believed the Bill would lead to a spirit of antagonism if it passed in its present shape. Mr. S. proposed an amendment which was lost by a large majority. Mr. Gray warmly contended that the Bill should pass, and it would be no more than an act of justice to those who asked for it. The Bill was further supported by Messrs. Kerr, Steadman, McLeellan, and opposed by Mr. Johnson, Mr. End, and Mr. Watters. The Bill was sustained by a large majority, but was afterwards rejected by the Legislative Council.

April 2. The long looked for—long-talked of resolution "the head and front" of years of "log-rolling," submitted at the opening of the Session, viz.: the Initiation of Money Grants, was, on motion of Mr. Hatheway, taken up for discussion this day. A mere epitome of the lengthy speech of the mover, and the remarks of several other Members, having covered nearly all the ground that could be occupied, for and against, will suffice to show the general arguments used in the debate. Mr. Hatheway explained the motives he had in view in introducing the Resolution. He thought enough had transpired to justify its passing, and gave the Government power to check extravagance. He referred to the views expressed by members of this House in 1842, and at a subsequent period, and also to the opinion of Lord Durham upon the subject. He believed that we had evidence every day of the necessity of this measure. He was in favor of introducing it by Resolution rather than by Bill, and he considered it more necessary at the present time owing to the great falling off in the Revenue and the commercial depression. The passing of the Resolution would make the Government responsible for the expenditures, and be productive of beneficial results. Mr. Harding (of St. John) wished to place the responsibility somewhere, and he thought the Government the most proper persons to have it. If we went on in the way we had for the two or three years back, the Province would be in a condition similar to that of several of the States of the neighbouring Republic. He should oppose the passing of the measure by Bill, but would support it by Resolution, and he further thought that there should be a Committee of Public Account, to examine the estimates and papers of the Government, and thus have one set of men act as a check upon another. An Estimate similar to that brought down by the Government last year was all that the country required. He thought that some of those prescriptive grants which were in the habit of being appropriated annually should be gradually wiped off and done away with, else the Province would shortly become a Public Insurance Office. He concluded that the time had arrived for closing the door of recklessness and extravagance, and he should vote for this Resolution.

Mr. Connell would support the Resolution, on account of its absolute necessity; he had concluded not to move his amendment, [it will be remembered that Mr. C.'s amendment was to the effect that the House should only surrender the Initiation in case Municipalities being established] but he was aware of the importance of it. From experience in his own County, he knew that of Municipal Corporations would be of immense utility to every County that should adopt the principle.

Mr. End led up the Opposition; and his remarks are here condensed. He said he would perish at his desk before he would consent to adopt it. He disapproved of being governed by Lord Durham's Report, which all who had been in the habit of praising, had not read at all. But what would answer for the political atmosphere of Canada would not answer for New Brunswick. He would never consent to tie up our hands by this Resolution. The Government had suspected him of being in the opposition; but he would support them in any good measure, and he was not disposed to offer factious opposition to them. Nothing could ever convince him that it was a correct theory to surrender the purse strings to the Government. Mr. End here spoke at some length of the difference between practice and theory, instances of which were respective-

ly observable in Mr. Steeves' Report and in the report of Lord Durham, the latter of which he looked upon as a farce. He believed that if the Resolution passed, it would be in the power of the Government through numerous rills to command a majority in the House. To talk about responsibility was all nonsense. He did not consider there was any analogy between this country and the Imperial Parliament, and he would never consent to becoming a galley slave by surrendering up this privilege. He liked to see a proper spirit of constitutional antagonism kept up between the different branches of the Government. He respected the Legislative Council, and he wanted to see that body independent of the crown and the people. He felt indignant at the dictation that had been offered by the Colonial Secretary some years since. He contended that the passing of the Resolution would be a vote of censure upon the House, and in conclusion he would say, "God forbid that I should give up the inheritance of my fathers."

The question was taken on the 3rd of the month and carried.

The majority was only two. The names of some of the leading Conservatives appear among the "Yeas," and those of Liberals among the "Nays." Although this was essentially a measure of reform, no fault can be found with old professed reformers for voting as they did; nor yet by Conservatives against their friends who voted for the measure. It was at the time supposed to be a very great experiment—to transfer from the House to the Government such a

tremendous power. There were thinking men of both parties, who failed to see the advantages claimed for the transfer from the House to the Government such a tremendous power. There were thinking men of both parties, who failed to see the advantages claimed for the transfer—on the contrary they saw in it more mischief than was common to the existing system. The vote was taken upon the question (although a reform) not upon party lines, but what was believed to be at the time from pure and independent convictions. Good reasons were assigned on both sides, (whether Liberal or Conservative,) for the votes given—but the adverse reasons have been dissipated by time—the fears entertained have never been realized. For example, Mr. McLellan (the present Senator) "had no doubt that the principle of the Resolution was good, but as we were yet without the general establishment of Municipalities, he should vote against the change." Mr. M'L. had the reputation of being a good Liberal, but he was not bound to sacrifice his independent feelings at the shrine of party, or rather it should be said to try an important experiment, when it was generally considered that Municipal Corporations were correlatives or preliminary to a change in the system. Mr. Street, on the other hand, the leader of the Conservatives, fell in with this reform movement, without expressing any misgivings as to the consequences. He said he would support the principle of the resolution, and he did so irrespective of its being a measure towards which the Government might be favourable or unfavourable. If the measure had proved beneficial in England it also would here, and he was for placing the responsibility where it belonged. He maintained that the House should be restricted by the Estimates of the Government, and that it was a loose principle to misappropriate the public money without any check as under the present system. Such a system he contended required to be immediately remedied, and this resolution would have the effect of stopping this frittering away of the public funds. He thought, however, it should go further, and that the principle should be sustained by Legislative enactment. What was done by resolution could be too easily undone. He did not regard it as an infringement upon the privileges of the House, and he believed the carrying out of the resolution would tend to preserve the dignity of the Legislature.

This was a new and most useful instalment of Responsible Government. The machinery was now pretty nearly complete. Had the Government faltered as with their predecessors in the olden time, or showed themselves disposition hostile to the assumption of this fresh responsibility, "the surrender" would still be in the distance, and the mischief keep on increasing. Up to this time then, so far from Responsible Government proving what its former opponents predicted, viz; revolutionary in its

tendencies, it has been gradually developing and gaining strength, and the elements of conflict, which an open and unguarded chest encouraged every Session, were being gradually subdued and brought under the control of a single arm, over which any opposition might keep a strict and jealous watch.

The discussion which took place on the same day, upon the "Contingent expenses of the House," showed that the principle of the transfer of the money grants, as holding the Government accountable for all the expenditures, was not carried into effect a day too soon. Under the head "Contingencies," articles had been provided for the use of members, which would now be called "boodle" of a most extraordinary description.

[NOTE.—It is unnecessary to specify these articles or go any further into a subject which it is better for the credit of the Province, to pass into oblivion. If any one is anxious about the matter he will find some of the particulars reported in the News, April 9, 1856.]

These "contingencies" furnished another proof of the defects of the old system. They were the result of habits of recklessness, or extravagance, and concupiscence, which had been allowed to go on unchecked from year to year, by a Government that complacently looked on, feeling that they could not help it, and even knew not how the money was going, but were impotent, or thought they were, to interpose a barrier.

The Saint John City Charter was amended in an important particular, viz: by taking out of the Government hands the power of appointing the City Clerk, and placing it in the hands of the Council. The motion originated in this wise: On the death of the late incumbent the Common Council (having a Conservative majority) appointed Mr. John M. Robinson,) as had hitherto been the practice, pending the Governor's confirmation to fill the vacancy. The Government refused to confirm the nomination, and appointed Mr. W. R. M. Burtis. [NOTE.—Mr. Burtis through ill-health retired from the office in a few years afterwards into private life, and died upon his farm in 1883—a very worthy, upright,

honorable man, possessing a fine legal mind and solid attainments. Mr. Robinson is also dead—a gentleman who was universally liked for his fine, genial manners, and excellent gentlemanly qualities.] The Council waxed indignant. Hence, a very essential reform spirit suddenly possessed the members of the Board, and they asked the Legislature to vest the appointing power in them—to apply to all future cases. Reform being the order of the day in the House, the concession was unhesitatingly made. On the retirement of Mr. Burtis, the Council for the first time had the opportunity of exercising their authority, by appointing Mr. B. L. Peters (now Judge) to the vacancy.

[NOTE.—The next and following letters will open up the most interesting and political revolutionary period (full of startling incidents) ever known in the legislative annals of New Brunswick, the autocratic conduct of the Lieutenant-Governor, and the position of the temperance party as well as the liberal party.—ED. PROGRESS.]

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 12.

Bill for Repealing the Prohibitory Law—Mr. End's Attack and the Provincial Secretary's Defence—Bill for Repeal Rejected—Strange Resolutions for Dissolving the House Voted Down—Strange Rumors about the Governor's Intentions—The Constitution Discussed—Politicians in Many Cases Changed Sides—Municipal Corporations.

April 8. Mr. End introduced his Bill for a repeal of the Prohibitory Liquor Law, passed during the previous Session, and made a long speech in support of it. The law, it was urged, had proved itself to be unsuccessful in its operation—more of an injury than a benefit to the country, having led to a system of espionage, evasion, contention, and engendered bad feeling all over the country. It was impossible for coercive legislation to be productive of good, especially when the people were hostile to the measure. Mr. End said many voters at heart opposed the measure and voted for it under the impression that it would be rejected elsewhere—or there would not have been a majority for it. Laws of the kind, all sumptuary laws, had failed to work wherever they had been tried. He also alluded to the inconsistencies and impracticabilities of many sections of the law—such as the mode of giving evidence, etc., etc., to convict parties. Referring to Neal Dow, he was glad that we had no such person in this Province who would murder and shoot down his fellow citizens. (Notwithstanding all this, Neal Dow still lives in his 91st year, highly respected by all who know him, while the speaker came to a miserable death some twenty years ago.) He held that it was impossible to keep liquor out of the Province. It would be manufactured in the private distillery, which was a perfect little hell. The evil had not been cured, but was augmented. In Fredericton there was more sold than ever, and throughout the Province during the last three months, there was more drunkenness than ever. He contended that this Act had produced more serious results than all the other Acts that had passed the Province

since 1786. Mr. End said all that would react against the measure, (hence there is no occasion for extending the subject)—although the points of all he did say are not here given—but quite enough for the purpose required.

As the Provincial Secretary was the introducer and leader of the law, some of the points from his speech in its defence are here given. He first referred to some of the features of the Liquor Act of 1852, which he said were equally stringent with anything in the present law. And he thought that members who now condemned the law, were inconsistent in supporting the former Bill, during Sir Edmund Head's administration. The principle was precisely the same, although the two Bills differed in detail. The former Act was for curtailing or restricting the sale of spirituous liquors—the present one was simply meant to restrain the evil by the adoption of more effective means. Mr. End he said had pronounced the law as tyrannical. This oburgation was made because it suited the honorable gentleman's purpose, and without a valid argument being given. He denied that it was more tyrannical than other laws upon the Statute Book, intended for the repression of vicious indulgences. He charged Mr. E. with sinister motives for keeping his Bill back so late in the Session. The disposition was to embarrass the Government—to keep the flame of discontentment burning before the country, and thus arouse from day to day the hostility of the opponents of the measure, and after gathering all the strength possible in this way to come down suddenly like an avalanche upon the heads of the Government. He asked how it was that members opposed the law, when they had supported others on the Statute Book which were of a coercive nature, and intended to regulate the moral welfare of a community. He maintained that if we were going to construct Railways it would be better to have such a law on the Statute Book. The very fact that it

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would keep £150,000 or £200,000 in the Province was a proof of the propriety of such an enactment. If the law could be carried out he would ask what was the paltry sum of £25,000 of the Revenue compared with the former amount. He wished to see the law have a twelve months' trial. If it did not improve the social moral condition of the Province, he should at the end of that time go for its repeal.

Upon a motion being made for postponing Mr. End's Bill for three months, the House divided as follows:—

Yeas.—Tilley, Fisher, Connell, Brown, Ryan, Tibbits, Gilmor, L. R. Harding, Steadman, McAdam, Lunt, the Speaker, McLellan, Godard, Armstrong, Wilmot, Cutler, Ferris, Hayward, McLeod, Purdy, Stevens and Gilmour.—23.

Nays.—End, Macpherson, Allen, Hatheway, Johnson, Watters, Smith, Street, Sutton, Gray, Montgomery, Boyd, M^r. Phelim, Botaford, Landry, J. A. Harding, and McNaughton.—17.

Mr. Kerr in the Chair.

And so the Liquor Law remained on the Statute Book intact, but to come to a violent end in a few months later, by a proceeding which involved Constitutional considerations, which neither Delome, nor May nor Erskine can furnish a precedent. This little Bill of Mr. End's was like "the rumblings of the distant thunder," an expression that afterwards became quite an apothegm with some of our Parliamentarians.

Mr. McPhelim offered a resolution, calling upon his Excellency to dissolve the House and take the sense of the country upon the Prohibitory Liquor Law. This was taken up and discussed from day to day. He was supported by sundry honorable gentleman who perhaps thought they had nothing to lose, but a chance of gaining a great deal by such an appeal. Indeed they must have pretty well understood that the public sentiment was generally averse to the measure. The resolution was finally voted down. It would have been a singular thing in Constitutional history to find a popular body passing a vote of condemna-



JAMES A. HARDING, M. P. P.

tion upon themselves. The biting off one's nose, so often spoken of, by means of one's own mouth, in order that his face might be revenged, would, in such an event, have furnished a practical illustration.

Rumour with her busy tongue now began to weave strange stories as to what were the Governor's views of the Liquor Law, and what he intended to do—in behalf of the "rummies," as they were called. [Note—Those who were instrumental in bringing about the Liquor Law, outside as well as inside of the House, (viz: the "Sons of Temperance,") were dubbed by those in opposition, "sons of guns,"—while the latter retorted by calling the others "rummies." The designation in either case is perhaps too slangy to be noticed here.] His Excellency's intention being nothing more nor less than to dissolve the House of his own mere motion, or as it was called by virtue of his prerogative. Then it was reported that his Excellency had differences with his Council upon other matters besides the Liquor Law, which on one occasion has gone so far, that he had not yielded his Council would have resigned. These and such like rumours were so current, that they began to assume the importance of "fixed facts," with editors and contributors of lively imaginations. Discussions in the newspapers went on upon the principles of Responsible Government—as to how far a Governor had a right to go with his Council and where it was his duty to stop. Every man became an expounder of the Constitution. Delome,

May, Harward, Russell and every other writer upon the British Constitution were ramsacked and liberally quoted by the one side, to show that the Governor had the sole right to dissolve—by the other side, that “the prerogative” was a mere state fiction as far as the Governor was concerned only to be exercised by those who were responsible to the people for him who could do no wrong (the Sovereign, or rather his representative), and were therefore answerable for any errors committed no matter by whom. New parties and new combinations now began to form. It was “appetite for drink,” or rather hostility to an arbitrary enactment (as the Liquor Law was called) on the one side; and Constitutionalism on the other. Liberals and Conservatives changed sides. It mattered not to many how far the Governor was right or wrong, so long as they could get the “vile enactment” expunged from the Statute Book. Indeed the country generally seemed to side with the Governor, as will more fully appear hereafter. The real constitutional issues were cast aside. Old Politicians who had aided largely to bring about Responsible Government, such as Dr. Livingstone of St. John, set themselves in battle array against the Government. Liberal journals changed sides. Perhaps no period ever furnished a more complete state of political demoralization. And Rum was at the bottom of it all.

April 14. After the presentation of the Reports of several Committees, the House resolved itself into Committee of the whole in consideration of a Bill introduced by

Hon. Mr. Fisher, to make some amendments in the law relating to the establishment of Municipal Corporations. The mover explained the alterations he contemplated to make in the Act. He proposed to give Municipalities greater power by enabling them to make regulations for their better working, and to be afterwards submitted to the Governor in Council. The Bill also provided that the notice for a call of the inhabitants to establish Municipalities, should be confined to one month instead of three. Further provision was made, that in the absence of the Warden from the Province, the Secretary Treasurer, at the request of five members, should have power to call a meeting of the Municipal Council. The other alterations were unimportant.

This Bill was carried by a large majority.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY.

No. 13.

Grant to King's College—Earnest Attack and Defence—New Education Bill—Heated Discussion nearly Resulting in Blows Being Struck—Punishment Threatened for not Attending Divine Service—A Call for the Governor to Dissolve the House—The Galleries Again Cleared—The Chairman in Supply Reprimanded—The Legislature Prorogued—High-handed Act of the Governor in Dissolving the House and Appealing to the Country for the Abolition of the Liquor Law—The Government Resign Their Offices.

The House resolved itself into Committee of the Whole in consideration of a Bill to suspend the grant to King's College. The motion met with considerable opposition, but was sustained. The mover of the Bill (Mr. Connell) then rose and stated his objects for introducing this Bill. He referred to the past history of the College, and the necessity of abolishing this grant in order to secure such an Educational scheme as the Province required. He proposed to apply the money now used for supporting the College to a fund to be denominated the College Fund, and which should be made applicable to the carrying out of a proper Educational scheme. It was not his wish, he said, nor was it contemplated to check the operations of the Institution suddenly. He believed the granting of so large a sum had given dissatisfaction throughout the country, and therefore the Bill should pass. He did not believe the College could be remodelled so as to give general satisfaction, and in his opinion direct taxation was the only measure to be adopted for the support of Schools. Mr. C. gave to the House a statement of the affairs of the College, with expenses, number of pupils, &c. He thought every Member who wished to have the seat of Government remain at Fredericton should vote for this Bill. He urged that the passing of the Bill was of much importance, and in view of this, he believed that the Government would be in a position to submit such an Educational scheme as would benefit the country.

Mr. End opposed the Bill in a short speech. He looked upon it as a cruelty to cut off the supplies from this Institution. He referred to the perpetual bombardment that had been kept up from time to time against King's College, and firmly believed that the Institution would have been in a more prosperous condition had it not been for these attacks. He asked why this brute force should be applied to an Institution of this kind. He believed the object of the Bill was to have the seat of Government removed to St. John, and he hoped a majority of this House would be found to oppose it. Hon. Mr. Brown referred to the past history of matters in connection with the College, and spoke of the ability of the Commissioners who had been appointed to report upon the Institution. He thought that if Mr. Connell had read their Report he would not have introduced such a Bill as that now before them. The object of the Bill was to blow up the College, and he believed the House would not consent to such a proposition. He admitted that the College had been an unfortunate Institution, but it was now in a satisfactory condition. Mr. B. also referred at some length to the benefits that would be derived from passing the Bill introduced by Mr. Fisher, relating to the establishment of a comprehensive system of Education. He explained its objects fully, and in respect to the present Bill he believed it would never become law, even if it passed this branch of the Legislature.

Mr. M'Pherson also made a speech in opposition to the Bill. He spoke of the bombardment which had been kept up in this House against the Institution, as having the effect equal to that of "the weevil in the wheat." He deprecated the efforts made by Mr. Connell and others to pull down this Institution; he hoped there would be good sense enough in the country to reject such a monstrous proposal. Mr. M. spoke in eulogistic terms of Professors Jack and Robb. He hoped the Government would do all they could for the College and for the promotion of Education. Mr. M. warmly replied to the remarks which had fallen from the Speaker, and advocated the propriety of rejecting the Bill immediately.

Several gentlemen spoke for and against the Bill.

[NOTE.—On the 15th, Mr. Fisher introduced a Bill to establish a comprehensive system of Education, the three first sections of which were proposed as an amendment to Mr. Connell's Bill. On a division Mr. Fisher's Bill was lost 10 to 20.]

Hon. Mr. Smith was particularly severe upon the College.

On a division at a subsequent day, the Bill was sustained 24 to 16; but was afterwards thrown out by the Legislative Council.

[NOTE.—On the 23rd, in the course of the discussion two of the champions for and against the College, got so heated at one time it was thought that not only this Institution would be destroyed, but life with it. The following from the Reporter's notes of the proceedings [November 25, 1856] will convey some idea as to the height at which the tide rose. The names of the two hon. gentlemen are fictitiously represented.]

Hon. Mr. Slasher arose and stated that Mr. Crasher had yesterday positively said that he would not divide the House on the third reading of the Bill, he was therefore

surprised at Mr. Crasher's opposition at this time.

The scene which followed was of the most disorderly description. Mr. Crasher rose in great haste, and in the heat of his excitement turned round to Mr. Slasher, who was sitting alongside, telling him his assertions were false, and that he was a

——. (The epithet used and the compliment conveyed were not distinctly heard by the Reporter.) In conjunction with the appellation, the gentleman drew himself up, swung his arms about him, and one of his clenched fists for a moment sojourned in the close vicinity of Mr. Slasher's organ of hearing. Great was the consternation which followed. Both gentlemen spoke in high tones, and an immediate rencontre was momentarily expected. Cries of "Chair," rose from all quarters. Amid the din and bustle the Sergeant-at-Arms received the order to clear the galleries, and thus the combatants were left to settle the fracas, and be dealt with by the House. In the meantime considerable excitement prevailed outside, and talk about the probability of duels and pugilistic encounters was for some time the order of the day. It was not until nearly one o'clock that the excitement subsided. The doors were again thrown open, and the even tenor of business was once more resumed in the House.

15th. Mr. McNaughton introduced a Bill to revive an Act which was in force in the reign of Henry VIII., for the punishment of individuals who did not attend Divine service on the Sabbath. Some honorable gentlemen were willing to support the Bill, provided the mover would amend it, so as to apply to Members of the House only. One gentleman said it should be made to apply to the County of Gloucester (Mr. M.N.'s County) exclusively. The Bill finally received what was called "the three months hoist."

April 21. Proceedings of the day were remarkable only for a breeze that sprung up between two honorable gentlemen who had got at loggerheads in supply—high words were bandied between them. One rose from his seat and proceeded over to the other, when it was expected that blows would have been struck; but fortunately, better judgment prevailed. Both gentlemen were of adipose dimensions and had they come to close quarters, would no doubt have made considerable of a noise.

April 22. Mr. McPhelim's Resolution calling upon the Governor to dissolve the House was discussed and rejected—11 to 28.

29 In the afternoon "strangers" were ordered to withdraw, and the House again sat with closed doors for two hours—supposed to have been considering some private quarrel between two members. On the opening of the doors the proceedings became of the most boisterous character—a rapid contention in supply for the spoils. [NOTE.—The initiation resolution which had passed at an earlier date was not intended to take effect until the next year—hence the old grab game was still the order of the day.] Half a dozen members would rise at once all screaming at the top of their voices—"Mr. Chairman, Mr. Chairman." Nothing could be done. At last the Chairman (Colonel Hayward) closed his fist and the full weight thereof was with considerable force brought down upon the table before him, the report of which might have been heard up stairs. Two or three roars of "order" accompanied the terrible detonation. Then followed the most ludicrous scene that the gallery had witnessed during the Session. The Chairman was reprimanded by the House for acting so hastily. Several members rose to speak. The Chairman threatened to do considerable. Members involuntarily burst into roars of laughter. Mr. Brown severely reprimanded. Mr. Wilmot rose to speak but was cried down. Mr. Gilbert said the House was conducting the business of the country in a disgraceful manner. Mr. J. A. Harding rose to speak with a view of conciliating matters: being interrupted he declared he would not be ridden down, and so he proceeded unto the end. Mr. Montgomery said he had been a member of the House for twenty years, but had never witnessed so much disorder. The galleries were threatened to be cleared; this, however, was overruled.

On the 1st of May the House was prorogued. His Excellency's speech was short, and presaged nothing as to the determination which he manifested in a short time afterwards, to give the *coup-de-grace* to the first Liberal Government that had ever been organized in New Brunswick, and from whom the first real measures of reform emanated, as has already been shown; but who unfortunately for themselves, could not foresee the great difficulty which the passage of a single measure was likely to provoke, and convulse the Province from centre to circumference.

DURING THE RECESS.

Shortly after the prorogation of the Legislature, his Excellency called upon his Council to show cause why the House should not be dissolved, with a view of testing the sense of the country in regard to the working of the Liquor Law. A lengthy correspondence followed. His Excellency thought that the voice of the country was against the law—that it had, in numerous instances, proved inoperative, certainly inadequate to the ends contemplated—that in some Counties the law was a dead letter—while in others the difficulty of enforcing it, (where there was so much influential prejudice against any interference with old established habits and customs,) led to encounters, and calculated to do more harm than the good it was intended to effect. Under these, and other circumstances of failure, his Excellency thought it a duty incumbent upon himself as well as his Ministers, to dissolve the House and appeal to the country. His advisers argued that the law had been enacted by a large majority in both branches of the legislature—that according to Responsible Government the majority were supposed to represent the people in all measures of a local nature; and a this was one that did not trench upon an

Imperial regulation, they did not consider that, while they were sustained by the House, the country should be convulsed with excitement, which would attend a general Election, merely because his Excellency and others near by him were opposed to the Law, or did not believe in its practical working. The Law it was said had only been in operation a little over a year; and although at first stoutly opposed in certain communities, so that difficulties had to be met and overcome, the public mind was beginning to calm down, and favourable fruits were beginning to show themselves. At all events, they said, the law should certainly have another year's trial before condemning it. For these and sundry other reasons, his Excellency's advisers could not consent to a dissolution. The Governor however, had made up his mind that there should be a dissolution, and so expressed himself to his Council. The members of the Government had no alternative but to submit or tender their resignations, accordingly they proceeded in a body to Government House and for the first time in our history laid down their seals of office. His Excellency immediately sent for Hon. R. D. Wilmot and Hon. J. H. Gray to form a new administration. (NOTE.—The following were the names of the new Government (who are now all dead but one) proposed by Messrs. Wilmot and Gray, and ratified by the Governor, viz:—Honourables Edward B. Chandler, Robert Leonard Hazen, Robert Duncan Wilmot, John Hamilton Gray, Francis M'Phelim, Esq., and John Campbell Allen, Esq.)

The Governor said "the arrangements for the formation of an Executive Council, who concurring in the necessity of an immediate dissolution, and prepared to be responsible for it, are completed, and the

Lieutenant Governor now accepts the resignation of his present Council." On the 30th May a Proclamation appeared in the *Royal Gazette*, dissolving the House—the writs to be returnable on the 10th July. This was the first instance in New Brunswick of a Government having shown nerve enough to resist what they conceived to be an arbitrary encroachment upon their privileges and the rights of the people. Whether mistaken or not in their views, as regards the feelings of the people upon the liquor measure, is another thing, and which in either case does not alter the vital principle. When Sir Edmund Head appointed a Judge in defiance of the advice of his Council, there was but one member who resigned his seat. Had the Government of that day stood firm upon the ground they had taken—met his Excellency with their Constitutional weapons well sharpened—it would perhaps have been a lesson for future Governors, and it is doubtful if the Government of 1856, would have had to stand the brunt of the battle, and in their endeavor to settle a material principle in Responsible Government, got their necks broken by the people themselves for having resisted Mr. Manners-Sutton on Constitutional grounds. Had the Government of 1856 been more pliant and desirous for office than for the solution of a great political problem, they might have submitted to his Excellency's behests, by repealing the Liquor Law during the previous Session, and thus saved themselves from defeat. They could if so minded have found excuses for taking such a retrogressive course, and the country would have sustained them, as liquor at this time was of more importance than the Constitution.

It might not be out of place for the writer to refer to the discussion in the newspapers, for and against the course taken by the Governor. It will be seen in the next article that His Excellency was sustained by the inhabitants; but the voice of public opinion, whatever may be said in support of its expression in matters in general, was not in this instance considered infallible when its judgment was asked on a question of such grave importance as that which was at the foundation of our liberties. As well expect the people to decide correctly some knotty point in law, philosophy, or physics, as to arbitrate upon a Constitutional point over which some of the best political doctors and eminent publicists of our day have differed. On this occasion, however, the question was liquor or no liquor, no matter what became of the Constitution—had the great Whig, Lord John Russell, himself improvised this *coup d'état* in England, his course would not have been condemned under the special circumstances. Let the Constitution go—but not the rum!

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
House of Assembly of New Brunswick,
from the Year 1854.

By G. E. FENEY,

No. 14.

The Elections Told Against the Liberal Party—
Fickleness of Public Opinion—Special Session
Called—The Question of the Hour—The Gov-
ernment Safe—The "Dogs of War" let Loose—
Mr. Boyd of Charlotte Hard Upon the Temper-
ance Party—Mr. Fisher's Attack Upon the
Governor's Arbitrary Conduct—The Governor's
Prerogative a Farce, a Mere Fiction—The
Speaker Interferes and Mr. Fisher is Called to
Order—But Mr. Fisher is Not to be Put Down.

THE RUM ELECTIONS.

The elections for St. John County
and City took place respectively on the
24th and 25 of June. The following were
the names of the candidates:—

Government—Messrs. Simonds, Wilmot,
Gray, Godard, Harding, Lawrence—(first
four for the County, the two latter for the
City.)

Opposition—Messrs. Cudlip, Wright,
Jardine, Vaughan for the County and
Messrs. Tilley and Robert Reed for the
City. (The latter gentleman was the
late well known Robert Reed—a most
worthy citizen, a man of great
pith and enterprise, who spent two fortunes
in St. John in beautifying the once bleak
hills of Portland, thus employing and
benefitting the poor as no single person had
done before or has done since.)

The speeches which were delivered on
the day of nomination—the 20th—were
lengthy, crisp and percolative—in fact a
fierce stump wrangle between the leaders
of the two parties, and the Governor's
name was freely handled, his conduct bit-
terly denounced, and as warmly defended
by his friends. The returns resulted ad-
versely to the hopes and wishes of the op-
position (the old responsible Government)
party; and were as follows:—

For the County—Messrs. Wilmot, Gray,
Simonds, Goddard—large majorities.

For the City—Messrs. Lawrence and
Harding (the late Sheriff.)

Perhaps the fickleness of public opinion,
and in proof of what a hard jade she is to
serve, was never more manifested than on
this occasion. A couple of years before
this, Mr. Tilley, as a Reformer, was elected
by a large majority, as one of the idols of
the Liberal party; and notwithstanding the
Government with which he was associated
had done great things for the country during
their administration, he as a leading
member of it, is thrown high and dry upon
his back, in consequence of having made a
single unfortunate miscalculation. It was
like reversing the adage, by appealing to
Philip drunk from Philip sober.

The returns for the whole Province,
which will be found presently, were largely
in favour of the new Government, or rather
in favour of the "Repeal of the Liquor Law."
There were 24 of the old and 17 new
members returned.

SPECIAL SESSION.—1856.

A special Session of the Legislature was
called by his Excellency on the 17th July,
for the purpose of repealing the Liquor
Law. Hon. Charles Simonds, on motion
of Mr. Macpherson, was chosen Speaker,
without opposition.



HON. CHAS. SIMONDS.

In the opening Speech the Lieutenant Governor remarked—"The Law which prohibits the importation and manufacture of the traffic in intoxicating Liquors, forms a subject for earnest deliberation, and I trust that a measure on this subject, which will be submitted to you without delay by the Government, will receive at your hands the consideration which its importance essentially demands.

"I do not doubt that your decision on this question, which so deeply affects the social and financial interests of the community, will be satisfactory to the people, and it will afford me the most sincere pleasure to find that the exercise of a power entrusted to me by the Constitution has been productive of consequences so beneficial to the Province."

On motion of Mr. Gilmor [the present M. P. for Charlotte] to introduce a Bill, a discussion followed as to the right of dealing with any other business except that for which the special Session had been called. The friends of the Government were for

repealing the Liquor Law and doing nothing more, while the opposition contended that the House had a right to deal with all business matters that might be submitted, in as much as the Proclamation in the Gazette set forth that they were called together "for the despatch of business," without specifying the nature of the business. It was very evident, that the liberal spirit that had been aroused in the former House was active in the new. The country had by this time been educated pretty fully into the principles of the Conservatives and Reform parties, and the weight of argument was on the side of the latter; but as yet had not shown a thorough appreciation of their Constitutional rights and advantages—without which, they were still subject to the caprices of an overbearing partizan, whether he be Governor or Executive Councillor. Unforeseen Constitutional difficulties had not been anticipated. Liberals no more than Conservatives could be prepared for a stretch of power, which had never entered into their calculations, and for which they did not know where to look for precedents. It was one thing to have a new Constitution in the abstract. It was another to be prepared to master its details and make it work in a particular groove, upon a sudden emergency. It required experience as well as practice—to both of which our Politicians were as yet but novices. It was broadly asserted out of doors, by those whose wishes got the mastery of them, that the new Government

would be found in a minority upon all questions except the question of the day, and when that was once disposed of, another crash would follow. The Government on the other hand had strong faith in their own strength and future. If they could breast the surges of the short Session they knew they had a lease of power for at least six months longer; and, enjoying this advantage, the chances were altogether favourable to a much longer continuance. It was therefore their safest policy to allow nothing of an extraneous character to interfere with the actual business for which the House had been called together. The repeal of the Liquor Law was that business, for which a majority of the House had pledged themselves to their constituents. Thus the government were safe for this Session, provided they could confine the House to the Liquor question. In this, as will be seen presently, they were successful.

July 19. Shortly after the reading of the Journals, the Address in reply to his Excellency's Speech was taken up, when the "dogs of war" were let loose. Mr. Boyd (of Charlotte) as the mover, spoke at considerable length in defence of his Excellency's proceeding and justified it on the ground of imperative necessity. A large amount of revenue, exceeding £10,000, had been sacrificed, without any good accruing to the Province. Bad blood was stirred up and evil passions were fomented through the workings of a law, which was not only *Republican*, but *demoralizing*.—In fact, as un-English as anything possibly could be. He said the late Executive Council and not the Governor, should be blamed for all the turmoil and confusion into which the country had been thrown. When in power they were strong, knew their strength, and exercised their authority at the bidding of an organization, as recklessly as if they thought that they had a lease of office for life. They made a miscalculation in supposing that Temperance men could control this Province, and that all others must submit to their whims. In bringing in this Liquor Law the Government ought to have known that it could not be successfully carried out. Wherever such laws had been tried they had been evaded. In no country under the British flag had a sumptuary law been enacted; and the base attempt at copying a spurious American crotchet, devolved upon the superior wisdom of a New Brunswick Statesman to formulate.

Mr. Boyd seemed to give utterance to all that could be said against the law. The Attorney General (Mr. Gray) and the Provincial Secretary (Mr. Wilmot) defended his Excellency's proceeding. It devolved on Mr. Fisher (as the late Attorney General—father of the lady of our present Lieut. Governor Fraser) to lead the attack not only upon the Government, but upon the Governor. The ground taken by Mr. Fisher was not in defence of the law, but in what he called the unconstitutional manner by which the arbitrary stretch was made for its repeal. He would vote against the second and fifth paragraphs in the address, because to vote for them it involved an admission that the

ment could not ask his Excellency to withhold his assent to it—when the two branches of the Legislature had called for such a measure. The Governor, he thought, had abandoned his high position, by identifying himself with this exciting question. At the recent Elections the cry everywhere was—"vote for the Governor." He thought it degradation that the Governor's name, which should be a tower of strength, should be dandled about from poll to poll. The use in this way of the name of the Queen's Representative, was heresy; but such a cry, Mr. Fisher said, met him everywhere in his canvass throughout his County. His Excellency, therefore, was now in the humiliating position which no Constitutional Governor, should occupy. (Here Mr. Speaker called Mr. Fisher to order, as it was un-Parliamentary, he said, to introduce his Excellency's name into debate. The honorable gentleman admitted that the proceeding was unusual and out of order. He said he had never referred to his Excellency in his canvass; and although it could not now very well be helped, he would refrain as much as possible from doing so in the future.)

[NOTE.—In England it is considered to be out of order to introduce the Queen's name or animadvert upon her conduct. Why? Because, "She can do no wrong"—that is, her Ministry are supposed to be guilty of any political wrong that may be committed. The Lieutenant Governor of a Province when he identifies himself with a party, or a question, renders inapplicable this axiom or rule in a Parliamentary sense, if not held amenable for his own individual acts upon the floors of the House,—if he is allowed to say everything and do anything as he likes, and this privilege is denied those whose character is likely to suffer from the assault, it would be sheer despotism. The rule of the House of Commons in such cases is, the writer conceives, inapplicable in a Colony under such peculiar circumstances.]

He (Mr. F.) denied that his Excellency had even an abstract right to dissolve the House without the advice of his Council. The real object of the Governor was to get rid of his Council, and he took his own method to accomplish it. [Speaker again ruled the honorable gentleman to be out of order.] The arguments employed to justify the process did not alter the material facts of the case. It was the will of one man used to overcome the wishes of those who alone were accountable to the Legislature and the country. The calling in of this gentleman, or the driving out of that one, was irrelevant to the main question. Mr. Fisher spoke for two hours; and discussed Constitutional points in all their bearings, quoted largely from works on the Constitution and Parliamentary practices extending far back into English history.

Governor had the sole power to exercise the prerogative as he pleased—a most dangerous doctrine, which that House had repudiated by their acts when Mr. Reed was appointed to office by Sir Wm. Colebrooke in 1842. Neither the decision of the country against the Liquor Law—nor the vote of that House, would settle the abstract question of right or wrong as regards what his Excellency had done. He was satisfied, however, that after the excitement had subsided, people would begin to realize the broad fact that concerned so seriously their political liberties and welfare. Mr. Fisher pointed out several cases, where, within a few years, people had reserved their judgment in respect to particular acts of their Representatives,—as, for example, in the case of the appointment of the Chief Justice by Sir Edmund Head (the late Sir James Carter). He had seen minorities grown into majorities in that House; and the British Government had decided the minority to have been right throughout in the object contended for. He denied that the former Government were (as a Government) responsible for the passage of the Liquor Bill through the Legislature. After the Bill had passed the Govern-

PROGRESS, SATURDAY, APRIL 14, 1894.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
House of Assembly of New Brunswick,
from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 15.

Debate on the Liquor Law Continued—Speeches by
Sir Albert J. Smith—The Government's Con-
duct Berated—Toryism Rampant (See 2nd sec-
tion in Reply to the Speech of the Governor)—
Bill Introduced to Repeal the Liquor Law—
Repealed—The Session Closes—Remarks by
the Writer on the Whole Business.



HON. ALBERT J. SMITH.

Mr. Smith (late Sir Albert)—another member of the late Government—also made a lengthy speech in opposition to his Excellency's course. He spoke of the powerful influence the liberal party had to contend against in the last contest, in consequence of the antagonistic conduct of his Excellency. He denied that the late Council had tried to violate the principles of the Constitution; spoke of their determination to preserve inviolate the rights of the people, observing that they were fully as

as those who made such eternal protestations of loyalty. He asked if the Governor of the Province was anything more than a human being, and if he was not liable to be corrupt, and he repudiated a tame submission to the Governor's will when it was known that he was in the wrong. As an instance of an arbitrary Governor, he referred to the case of Sir Francis Bond Head in Canada, who threw his influence into a political contest in order that *his party* might be sustained. He maintained that if the decision was now averse to the cause of political freedom that decision would ere long be reversed. He dwelt on the unusual course pursued by the Governor's advisers in pronouncing an opinion upon his motives as contained in the Speech and Address, thus throwing down the gauntlet, but not permitting a reference to such motives on the floors of the House. Mr. Smith declared that the Governor had other motives and considerations in view than those upon which he proposed to dissolve. He defended the resignation of the late Council who being men from the people were perhaps not congenial to the feelings of his Excellency. He alluded to the almost total absence of any evidence whatever whereby the Governor thought a dissolution was requisite, there being scarcely any petitions, and those from Westmorland did not represent one-fifth of the free hold population. He asked if the Council did not know better than his Excellency of the feeling on the subject, and he as one of them felt bound to resist this invasion of the rights of the people. He justified the declaration they made in their

correspondence that the law was not wholly inoperative, in proof of which the Brewers had petitioned the House last winter for losses sustained by the stoppage of their works. He maintained that the Governor had listened to the advice of irresponsible men, and had been operated on by back stairs influence. He would not yield to the Governor in zeal and anxiety for the public welfare. The hon. gentleman also defined the anomalous and undignified position the Governor had assumed in respect to the Proclamation for a Dissolution, and also to his having rejected the advice of eight men in order to exercise the highest prerogative, and then call a smaller number (six) to his Council and take their advice.

Mr. Tilley said, I do not regard the dissolution of the House on personal grounds: but I still entertain the opinion that the public interests will not thereby be advanced. I have always considered the dissolution of the Assembly by his Excellency the Lieutenant Governor, in opposition to the advice of his Executive Council, an undue exercise of the prerogative, and without precedent in the Colonies since the introduction of Responsible Government, or in Great Britain for the last century and a half; and whatever may be the verdict of the people at the present time in this question, I feel assured that ere long it will be so considered by a majority of the electors of New Brunswick.

Many other gentlemen spoke on both sides; but the above "glance" at the discussion is enough to convey all that is necessary for public purposes. It very frequently happens that a whole subject is exhausted by one or two speakers.

On the 22nd the House divided on the

second clause of the Address in reply to his Excellency's speech, which read as follows:—

"2 We acknowledge with satisfaction the propriety of Your Excellency's having recurred to the sense of the People, and believe that so judicious an exercise of the power entrusted to Your Excellency by the Constitution, will not fail to be attended with the most beneficial effects."

Yeas.—Gray, Kerr, Barberie, Boyd, Street, M'Monagle, S. Z. Earle, J. Earle, Scovil, Wilmot, Lawrence, Desbrisay, Montgomery, M'Phelim, Harding, Allen, Macpherson, Botsford, Landry, Read, Hatheway, End—22.

Nays.—Gilmour, M'Adam, Fisher, Connell, W. E. Perley, Tapley, Ferris, Gilbert, C. Perley, Johnson, M'Lellan, Watters, Sutton, Smith, Lewis, R. K. Gilbert—16.

This was a submission to his Excellency's course of proceeding, and an admission that a Governor has the sole Constitutional right to exercise the prerogative, whether he thinks fit, without consulting his advisers.

On the 5th Paragraph the House divided.

"5. We feel assured that Your Excellency has no wish but to consult the general welfare and preserve unimpaired the Constitution and we regard the promptitude with which Your Excellency has called the Legislature together, as affording an additional proof of your watchful care for the public interests."

Yeas.—Gray, Wilmot, Allen, M'Phelim, Kerr, Barberie, Read, Landry, Harding, Botsford, M'Pherson, Montgomery, End, Desbrisay, Lawrence, S. Z. Earle, Goddard, Hatheway, Street, Boyd, J. Earle, M'Monagle, Scovil, Gilbert—24.

Nays.—Fisher, Smith, M'Lellan, Watters, Johnston, Mitchell, Sutton, Lewis, W. E. Perley, Tapley, Connell, C. Perley, Ferris, M'Adam, Gilmour—14.

On the 25th, the Government introduced a Bill entitled—"A Bill to Repeal the Act to prevent the Importation, Manufacture, and Traffic in Intoxicating Liquors, and regulate the Sale thereof." This Bill passed after a very brief discussion—was sent to the Legislative Council and confirmed. Thus, by a bold stroke of the Governor, by the exercise of an authority, which even in the old days of irresponsibility, could not have been regarded with approval by enlightened public opinion, a law, the result of the utmost deliberation by both branches of the Legislature, is swept away, after having been in existence only seven months. The whole proceeding, from first to last, was a retrograde movement in Constitutional government, which, when the Liberal party came into power in 1854, (only two years before this) could not have been anticipated by the greatest opponent that Responsible Government then had.

The object of the Session having been accomplished, his Excellency on the 26th July prorogued the Legislature in a speech of about a dozen lines. Responsible Government received a serious set back on this occasion; for self-interest or self-indulgence seemed to be paramount with a majority of the people, more so than the political ground we had obtained, after more than a score of years of fierce struggle for Constitutional liberty. In supporting the action of the Governor, in allowing that he was the sole arbiter of the "prerogative," a precedent was laid down for any one of his Excellency's successors to act in a similar manner whenever his opinions did not coincide with those of his advisers.

NOTES ON THE LIQUOR LAW.

It was high water with the temperance organizations in New Brunswick in 1855, but not high enough to float successfully the plans contemplated for destroying the liquor traffic. Suffused with victory at the polls in helping to return a reform house and thought to be firmly seated, the temperance societies considered the time opportune for putting in practice the doctrines of the division rooms.

Several members who supported the measure expressed their opposition privately among their friends; but the pressure brought to bear upon them by influential portions of their respective constituencies was irresistible. Then again they felt that even if the bill was sustained down stairs, it would be sure of defeat in the council, for the "old school" held sway in the council, by three-fourths, and understood too well the value of "old Port" to have it legislated out of existence. But up stairs proved a fatal trap for the government as will be seen hereafter. The upper chamber, it was thought at the time, concocted the plan of assenting to the bill, with a view of circumventing and striking a deadly blow at responsible government in the house of its friends, as their proceedings would furnish Mr. Manners-Sutton, the governor, with a capital opportunity of driving the radicals aye even "Annexationists" as they were called, to the wall, and so cripple them that the old compact would come in and enjoy a new lease of power. And so it turned out; and the Metcalf autocratic example was again imitated.

The bill has carried, (17 to 21 in lower house) and all but unanimously in the upper house and received the governor's assent and became law—to take effect 1st January, 1856. The old bill provided that no liquor should be imported or exposed for sale unless for medicinal, mechanical or scientific purposes—and inspectors were appointed in towns and cities to see the law faithfully carried out. So unpopular, however, was the measure that it would have been as easy to prevent the tide from rising in the harbors, as to close up the shops, as a general thing, or keep down the clamors of the thirsty, aided and abetted on all sides by the Tory party, whose politics ran in any direction that might have a tendency to overthrow the Liberals. No matter how good or bad the law, it afforded a fulcrum upon which to plant their lever, and an excuse to many

of them who had joined the Liberals a year or two before to upset the former government, and seemed anxious to get back again into the old fold, probably through jealousy of the young men who had joined the government, or were disappointed in their expectations for office, which then as now, seemed to be the guiding star of their political principles. Groups of men might have been seen gathered at the street corners—Chubb's corner especially, the great "Rialto" of St. John—discussing the pros and cons of the liquor law, as to its workings, and the good or bad it was doing. Liberals and Tories might have been found in the same group, fraternizing in conversation over their cups, or rather the stoppage of their grog. The old issues were for the nonce hushed between them. The Liberal and the Tory in many cases were as one upon the same question—opposed equally to the law, and both as determined to have the monster strangled; and this was the feeling evinced all over the province. The cholera or the small-pox could not have proved a bit more virulent to their imaginations. A requisition most numerous and influentially signed by citizens of St. John, Liberals (alas!) and Tories alike, was sent to the lieutenant-governor, requesting him to dissolve the house and appeal to the country upon the liquor law, notwithstanding the house had just come from the people and passed the measure, as they had a right to do, "in accordance with the well-understood wishes of the people, as expressed by their representatives."

Old Liberals and fast friends who had stood shoulder to shoulder for years, in contending for self-government and at daggers' points, politically speaking, with the Tories, lost their heads on occasion and divided into hostile camps, losing sight of the great constitutional question, as to whether the people had the right, in their representatives, to rule and pass laws, no matter how obnoxious, and calling upon the governor to usurp authority and dissolve the house (as Mr. Metcalf had done) without reference to his council; in short, old Liberals who had a long struggle for the upheaving of the former system, and were death upon the usurpation of former governors, now called upon the governor to exercise the prerogative and dissolve. Was there ever greater inconsistency? Liberal journals also broke ground and fled from their old folds; and from that time afterwards those that remained true and the recalcitrant took opposite sides and became political opponents. Reasons other than for the great issue itself for this journalistic change were assigned at the time, but they are not material now.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
House of Assembly of New Brunswick,
from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 10.

A Most Extraordinary Session—Parties Evenly
Balanced—His Excellency a Party Man—Hon.
Mr. Fisher's Proposed Amendments to the
Speech—The late Mr. Landry and His Son, the
Present Judge—Members on the Fence—20 to
10—The Speaker (Simonds) Casts His Vote
With the Government, and Castigates Both
Parties in Real Cromwellian Style—Members
Retaliates—The Speaker Game to the Last.

SESSION OF 1857.

On the 12th February the Legislature was called together for the dispatch of business. It turned out, in more respects than one, to be one of the most remarkable Sessions on record. His Excellency's Speech was not famous for anything in particular. The various topics broached were of the usual stamp—such as the financial state of the Province—the crops of the past season—Emigration—correspondence with the Colonial Office—King's College—Railways, and so forth.

The opposition in and out of the House exulted in the belief that the Government (now that the Liquor Law was out of the way) could not stand a week. The political soothsayers counted twenty four opponents, sure—to say nothing of four or five "loose fish" as they were called—who would go with the tide when they began to see it at flood, and there was some prospect of personal advantage. The writer, however, has frequently seen such scores run up in the calculations of his political friends—and knew well how galling the disappointment whenever the events did not turn out in the manner contemplated. The present was one of those occasions which presented about an equal amount of encouragement to both sides, but nothing more. As His Excellence was a party deeply concerned in the prospects of his advisers, no doubt his anxiety for their safety was no less trying than their own; for in the event of defeat he would be obliged to send for the leading men of the very party to which he had rendered himself obnoxious, as well as they to him; for

the fire that had been raging for the last twelve weeks could not but leave its singeing effects upon the minds and hearts of those who had been instrumental in stirring up the embers.

On the 16th, Mr. Fisher moved an amendment in answer to the Address in reply to the Governor's Speech—the latter part of which contained these words—"duty, however, impels us most respectfully to state to your Excellency that your Constitutional Advisers do not possess the confidence of the House." Mr. Jas. A. Harding seconded the resolution, and thereby excited the ire of many of his supporters in St. John. The mover spoke at great length dealing out heavy blows at the Government for their many short comings, which he pointed out, but which it is unnecessary here to recapitulate or specify more particularly. The principal charge against the Government was that they had expended money upon the Railroad without the sanction of law, inasmuch as they had not appointed Commissioners—which charge was met by the answer that urgent considerations justified the proceedings. On the Government side, a strong defence was made—the Solicitor General (Mr. Allen, now Chief Justice) leading off. The Attorney General and Provincial Secretary, on a subsequent day, rendered signal service to their cause and party. It was doubtful at the commencement of the campaign how the battle would terminate. The Government felt insecure while the opposition without being over-sanguine of success, thought that the chances were with them. However, the Postmaster General (Mr. McPhelim), in the course of his speech, said that "the Government were not going to be defeated this session, or for the next year or two; if the opposition thought so, they never were more mistaken in their lives." There was a self-confidence in this dictum of the honorable gentleman, which went a great way with some folks if it amused others. At the end of the

fifth day's debate, the *wisest* of the Liberals in St. John counted in the house—20 Liberals, *certain!* to 17 Government supporters. And accordingly some of them commenced to divide the spoils in prospective among their friends. But then there were Messrs Landry, M'Monagle and Earle, about whom there was much doubt.—[Mr. Landry was the father of the present Judge Landry, a tall, gentlemanly man, in whom the Frenchmen of Westmorland had the utmost confidence, which he richly deserved. It was always a question with Liberals and Conservatives, when parties in the House were closely balanced "how will the Frenchman go?" His integrity was unimpeachable and he was never to be found among "the loose fish." After his retirement from the House, his friends sought to obtain for him a seat in the Legislative Council, but without avail; he would have filled the position with dignity—but all Governments were alike inconsiderate by passing him over. How different with the son—by the force of his talents and energy he became a power among his constituents, and in the Dominion Parliament he fought his way to a County Judgeship, and when a vacancy occurred upon the Supreme Court Bench, his friends threatened the Dominion Government with their great displeasure unless they appointed Judge Landry. He was appointed. So much for the father, so much for the son. *Audaces fortuna juvat.*] Those gentlemen not having yet made up their minds how they were going to vote,—or rather it should be said, had not intimated the *state* of their feelings to their friends. If those three should vote with the Government, there would be a dead lock, 20 to 20, and the Speaker, (Simonds) in that case be absolute, clothed with greater power than any man in any legislative body in the world—for his casting vote on either side would settle all obtrusive party questions; indeed he would hold the Government in the palm of his hand and might dash it into fragments at any moment. The result of the discussion brought about, upon the division, exactly this condition of things,—20 to 20.

On the 23rd the question was taken on Mr. Fisher's amendment, when the House divided as follows:—

Yeas—Fisher, Hatheway, Smith, Gilbert, Gilmour, M'Adam, Ferris, W. E. Perley, C. Perley, Tapley, Connell, Mitchell, Johnston, Sutton, M'Naughton, Lewis, M'Lellan, Harding, Tibbets, Waters—20.

Nays.—M'Pherson, Allen, Gray, Wilmot, M'Phelim, Montgomery, Godard, Botford, Landry, M'Monagle, Street, Z. Earle, Kerr, Desbrisay, J. Earle, Boyd, Scovil, Lawrence, Barberie, Read—20.

The Speaker gave the casting vote in favour of the Government. This was looked upon by the opposition outside of the House as a virtual defeat of the Ministry. It was argued that in presiding over a popular body, deriving his authority indirectly from the people, it was Constitutional to claim, even if there was no precedent for it, that the Speaker of the House of Commons should not side with the Crown; in case of a tie his vote it was said belonged to the people, no matter what his sympathies might be. But the most curious thing in the proceedings was a speech delivered by the Speaker just before his vote. He rated both sides of the House in real Cromwellian style, and without choice of words. He completely trampled down all the political principles of his past life—of about forty years standing. The greatest obstructive that Responsible Government ever had anywhere, could not have been stronger in his denunciations. Departmental and Responsible Government (quoth he) were producing the most abominable evils, and was fast bringing the Province to destruction. He said could he see the people rise in their might and blot those principles out of existence he could "depart in peace." He referred to a remark that had been made by an hon. member—"to the victors belong the spoils," for the purpose of declaring that it was illustrative of the whole system of the Government of the present day. *Not one member on either side, he said, had displayed a spark of patriotism!* He had listened attentively to the whole discussion, and he thought it had taken an extraordinary turn. A great deal of it consisted of members *praising up themselves*; and so far as it was important or beneficial to the interests of the country, *nine-tenths of the time was utterly squandered and lost.* He believed that members had convinced themselves that Departmental Government would not do for this country. No good had come out of it in England, where the scheme was of new growth. Here it had been proven to be an abominable system, and the people were not safe under it; indeed he was amazed that the intelligence of the people had so long submitted to such a system. Should the Government be defeated, the Opposition would come in and divide the spoils. Mr. — had a taste of these spoils, and it seemed that it only increased his appetite for them. He hoped the people would rise in their might and blot out this foul system so legislation might again be placed on a proper basis.

Mr. Harding and Mr. Fisher lectured the Speaker for making use of such intemperate language. Mr. F. felt sorry for the Speaker, for the House and for the country, that the "first Commoner" should conduct himself so unbecomingly towards that House.

The Speaker, in reply to Mr. Fisher, said that if the opinion he expressed yesterday would have the effect of doing away with departmental government he considered that he would have been doing a good service to the country. After a night's reflection he was sorry to say that the ex-Attorney General (Fisher) had made such a long speech; and after a night's reflection, he (the Speaker) had not anything to retract from what he said yesterday. The Opposition had no right to complain because he made no distinction between parties. What he had said in regard to office-holders and office-seekers, he was ready to justify and he always endeavored to tell the truth.

Mr. Johnson, J. M., from Miramichi, arose and said that the remarks made by the Speaker yesterday cast a reflection upon that House, and he felt that the House would be lowered in the estimation of the country if such observations were allowed to pass unnoticed. He asked if the members of this House were to be told that they were office seekers, when many of them distinctly avowed that they were not seeking for office. Were they to be told that the time of this House was uselessly spent for the last eight days, when they were discussing a question of vital importance to the interests of the country? If these and such statements were to come from the Speaker of a House reflecting as

they did upon honorable members, then it was high time to send them back to the people and let them adjudicate upon the matter. He would put it to the House if both parties were not reflected upon by



MR. JOHNSON (J. M.).

what his honor the Speaker had said yesterday. Mr. Johnson spoke with much warmth.

Mr. Barberie (one of the "old school") eulogized the Speaker and said that in giving the casting vote he had a right to give full expression to his opinions on the subject.

His honor the Speaker, in reply to Mr. Johnson, said he was here to express his opinions honestly and fairly, and the observations he had made yesterday were strictly true. He would now repeat, that if such a system were to be continued the Province would fast hasten on the downward road to destruction.

Mr. Mitchell (now Hon. Peter) said when he left the House last evening he had such feelings as he hoped never to have on any future occasion. He respected the Speaker of the House, but when they were told by him that what they were doing for the last eight days consisted in nothing more than a scramble for office, and that the whole question had been discussed irrespective of feelings of patriotism, then he for one member, felt insulted by such remarks. He was not going to find fault with the Speaker for expressing his views on Departmental Government, but he was going to find fault with the Speaker for lecturing the House as he did last evening and he as an independent representative, would not quietly submit to it.

Mr. Smith (Sir Albert) regretted with other members that such remarks had fallen from the Speaker, yesterday. He felt that while he was elected by the unanimous voice of the House to fill the responsible position, he should, instead of impugning the motives of honorable members, or repudiating their patriotism, act with the calmness and deliberation due to the dignity of his position. He felt that when the remarks had fallen from his honor the Speaker that nineteen twentieths of the whole discussion was irrelevant and that if hon. members were actuated by mercenary motives, he thought that the sooner the country was appealed to the better. If honorable members had deviated from the question under consideration, then his honor the Speaker had also deviated from what was right in his remarks yesterday. After accusing members of being office seekers and making other remarks derogatory to the feelings of that House, then he thought it was time for the Government to advise a dissolution, and let the country be appealed to once more.

His Honor the Speaker replied to Mr. Smith, and observed that his remarks did not apply to office holders. He reiterated what he had stated that members were not actuated by much patriotism in the recent debate on the amendment to the address. The discussion then dropped and the remaining sections of the address were allowed to pass without opposition.

The Government after this went by the name of the "Speaker's Government."

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 17.

The Initiation Question—Its Merits and Demerits—The Government Moves Cautiously—An Election Bill of a Sinister Nature—The Opposition Attack Upon the Government—The Government Twitted Because Dependent Upon the Speaker for their Existence—No surrender—A Mill Bill—Members of the House and Legislative Council at the Same Time—An Odd State of Affairs.

Feb. 26. There was a lengthy discussion upon the "Initiation" question. It will be recollected that the year before the House resolved to transfer the power of initiating all money grants into the hands of the Government—to take effect in the next year. A "hankering for the flesh pots" seemed to be continued in the anti-liquor House. Some hon. gentlemen were for repealing the resolution and going back to the old system—others were in favour of giving it a trial, but they knew it would cause them a great deal of trouble—others appeared to be in a state of mystification as to how the principle was to be worked out. In explanation it was stated that all petitions for money, instead of being indiscriminately laid before the House for examination, and tedious expensive discussions, were to be sent in before the meeting of the Legislature to the Government for adjudication; and they were to use their best judgment as to the merits of the respective requests. If considered favourable, they were to be submitted in their financial calculations, and laid before the House in "one budget." No petitions, therefore, would be entertained by the House which the Government had not seen, or which the Government had rejected. This system, therefore, when in proper working order, would be the means of saving tens of thousands of pounds to the country, shorten the time of the Session, and to a better understanding between representatives and their constituents, although the influence of the former would be somewhat curtailed. In short, it would lead the people to look to the acts of the

Government more than they had formerly done, and there affix the responsibility for wasteful expenditure.

The discussion led to nothing more than to make members better acquainted with the new financial system by which the House was to be governed in the future.

In holding the scales between parties the Speaker could at any moment withdraw his support and bring about a collapse. It was, therefore, necessary that the Government should move cautiously, and venture nothing likely to be distasteful to the Speaker. Never since the days of the "Roundheads" had mortal man such power over a deliberative Assembly.

Hon. Mr. Gray (late a Judge in British Columbia, deceased about three years ago) introduced a Bill for the election of Members to Parliament, which was the first Government measure of the Session. It was explained that the measure was for a temporary purpose—in case of an election coming off suddenly. The Election law passed at a previous Session, it was contended, disfranchised a large number of voters, and the object of the Government now was to restore to them their former rights; and on a future occasion he would introduce a more formal and thorough measure, in which the principle of universal suffrage would not be altogether overlooked. The heather got fairly into a blaze when this measure came to be more fully explained. The opposition, which was most formidable in numbers and talents, found in this an opportunity to whet their appetites and to sharpen their weapons for an onslaught upon the Government which had but little ammunition to spare in the way of talents, for the defence of a very pregnable position. It was contended that the measure was nothing more than an attempt to revive the old Election Law, which had been swept from the Statute Book long before on account of its antiquated illiberal character, for one more in harmony with the spirit of the age—so

that in case of the present measure being carried the chances would be altogether in favour of the Government's majority being increased at the next election. This "dodge" was quite visible under a very transparent veil. One of the opposition remarked that since the disposition of the Government was for working backward, and reviving old fogysm belonging to an exploded past, he would not be a bit surprised to see them next introduce a measure for the abolition of Responsible Government as then known in New Brunswick, and in lieu thereof revive the recantation principle of P. E. Island, whose Legislature had recently taken it into their heads to change their constitution, in a very composite way, taking the heads of departments from outside materials, persons not requiring to be elected, but to hold their offices for life. [This was actually the state of things in 1856.] The following is a sample of the arguments used. Mr. M'Adam said that the Government

had been virtually defeated, and it was folly for them to attempt to carry on the business of the country when they were in a hopeless minority. Mr. Gray said the Government had no idea of yielding, he was very certain that they had the confidence of the House and the country. Mr. Gilbert commented at some length upon the weak position of the Government. Mr. Sutton was prepared to go into the Election Bill at any time. Mr. Smith said if we were not going to have a dissolution, he could not see [the necessity of having this old Election Law revived. Mr. Watters said this move made by the Government was nothing more than their asking the House to sign their own death warrant. He regarded the Government as doomed. The Surveyor General (Mr. Montgomery) seemed to think that Mr. Watters was alarmed, saying he knew what his fate would be in case of a dissolution. Mr. Watters replied. He said if he were in a Government that could only be sustained by the casting vote of the Speaker, he would certainly resign. He was not afraid to meet his constituents, and he believed the young blood of Restigouche would soon arise and teach the Surveyor General where his proper place was. Mr. Connell advocated an appeal to the country. He believed if the country were once more heard, the Government would be condemned; they had pursued a course that was not in accordance with the interests of the country, and would soon

be buried in political oblivion. Mr. Tapley (late Police Magistrate of Portland) had some idea of getting up a third party. The Attorney General intimated that the Government were (he said) substantial men, and men who had been returned here as often as the Opposition. One member was just as good as another, and viewing it in this way, even "if they had not the Speaker's vote they would have a majority." The hon gentleman spoke lengthily about the "competency" of the twenty on his side as compared with the opposition. Mr. Smith replied to Mr. Gray and defended the Opposition from the motives which had been imputed to them by the Attorney General. He asked if it was Parliamentary for the leader of Government to make "invidious comparisons" between the twenty men on his side and the twenty men who composed the Opposition, when there was not a member of the House who displayed more egotism than some folks he could name. He had no doubt the Attorney General was very anxious to hold on, and he (Mr. Smith) defied him to point out where another Government had done so when similarly situated. The Attorney General defended his measure with considerable astuteness, deducing the very opposite conclusions from the one set of premises, so peculiar to the legal fraternity, for as the question turned chiefly upon legal points, the Lawyers had the discussion pretty much among themselves. "No surrender" to the opposition was the motive principle with the Government. Though beaten in argument they felt they had the casting vote of the speaker with them, and so the debate was kept up day after day with wind and tide strongly against them. When the vote was taken the House stood 19 to 21 giving the Government the majority of two. How is this? It was done through a sort of legerdemain trick, of which unscrupulous political charlatans everywhere having ends to serve are so capable when driven into a corner. The Speaker vacated his seat and appointed one of the opposition to take his place, as Chairman of committee, thus neutralizing one vote of the opposition so that the numbers then stood 19 Liberals and 21 Conservatives, the Speaker voting with the latter as a mere member. There was no "ratting" then to account for the falling off in the ranks of the former. But the end was not yet. Had the Bill become law finally and members gone to the country upon it, the Government no doubt would have been sustained by quite a majority of supporters—but it was not to be so as will be seen hereafter.

March 4. The House resolved itself into Committee of the whole in consideration of a Bill to repeal the existing law relating to Mill Reserves. The bill gave rise to a round of speeches, some of them of considerable length. Most of the members seemed to be of the opinion that these Mill Reserves were a monopoly, and should be broken up. Mr. Perley, of Sunbury, supported the Bill. He urged that these Mill Reserves should be broken up, and showed wherein they had produced serious disadvantages to the people of Sunbury. Mr. Sutton also spoke in support of the Bill. He exhibited some statistics, showing the immense extent of land taken up throughout the Province in this way. For instance, he said in the County of Sunbury, the number of acres of land taken up as Mill Reserves was 58,830; Queens County, 49,000 acres; York, 54,200 do.; St. John, 23,000 do.; Albert, 5,000 do.; Charlotte, 10,000 do.; Victoria 5,000 do.; Northumberland, 10,000 do.; Kent, 18,000, making in all nearly 265,000 acres. Mr. Tapley believed that serious abuses had arisen from the existence of such Mill Reserves, and he should therefore oppose the Bill. Mr. Smith proposed an amendment that nothing in the Bill should be so construed as to affect parties who had already taken out Licenses under the existing Act. Mr. S. spoke at some length in support of the principles of the Bill. Mr. Hatheway warmly advocated that every protection

should be extended to those who were owners of Mill Reserves on small streams. Mr. Tibbits (father of the present Deputy Provincial Secretary) spoke at some length in opposition to the Bill.

The Bill finally passed with a provision that nothing therein should be so construed so as to affect parties who had already obtained Licenses under the existing Act.

10th. Rather a novel discussion took place in consequence of a question that was put to the Government, as to whether or not any appointment had been made to the Legislative Council since the 1st. February, and from what County. It appeared that Mr. Earle, of Queen's, one of the supporters of the Government, was the gentleman suspected of being the "Peer in prospect." It was therefore a matter of deep concern to the opposition to have this point settled; for the moment the honorable gentleman went up stairs the Government would be thrown down stairs—and then the Speaker's boot would be on the other leg. It was fully believed, indeed all but proven, that the member for Queen's was at that moment a member of both branches, *de facto* and *de jure*. But it would not be politic to let the public into the secret too soon—for the moment the secret was out a catastrophe would ensue. This interesting episode will more fully appear in next article.

PROGRESS, SATURDAY, MAY 5, 1894.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
House of Assembly of New Brunswick,
from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 18.

The Double-headed Member for Queens—The Government Defeated but not Annihilated—Appeal of St. John Police Magistrate—For want of Quorum the Sergeant-at-arms is Sent Abroad—Among the Hotels to Hunt up Members—The Opposition Impatient and Wrathful—Mr. R. K. Gilbert's Disqualification Bill—The Speaker Still a "Kicker"—The Speaker's Inconsistency—He has a Hard Time of it From the Opposition.

There were only two members of the Government present when the question was put, [in reference to Mr. Earle's appointment to a seat in the Legislative Council,] and as it came suddenly upon them, it was the cause of some embarrassment. The answer was therefore somewhat evasive, as it could not otherwise well be—for in matters of diplomacy there are numerous doors to close, as well as loop holes to creep out of, before raising the curtain upon the principal actors. One of those honorable gentlemen said he was not prepared to give an answer. An Opposition member replied that this was treating the House cavalierly. Mr. Earle (one of the principal stars in the comedy) remarked that "he was not up there yet," but he thought the County of Queen's had a right to be represented in the "upper branch." Failing to give a satisfactory answer, Mr. Perley moved an address to His Excellency upon the subject. This was opposed by the members of the Government. Mr. Smith, (Albert,) contended that the right to put the question implied the right to pass the address, and he urged that the House had a right to have such information as they asked from the Government. Mr. Fisher quoted from the Records of the Imperial Parliament, and showed that the resolution did not violate a single constitutional principle. He maintained that if the Executive had recommended the appointment of Mr. Earle, and that recommendation had been sent home to receive the

Royal sanction, it was tantamount to the appointment having been made. Mr. Johnson replied to the arguments used by Mr. Gray, showing that they were fallacious, and that it was right for any member of the House to ask any member of the Government for such information as the country required. Mr. Watters supported the resolution, believing that if the Government substituted the term "inconvenience" for that of "unconstitutionality" in their objections, it would be more appropriate in their case. Mr. Mitchell, now Hon. Peter, took the same side, warmly defending the resolution, and showing that it did not conflict with Imperial practices. Mr. Perley still a member in the present House, 1894, in a short speech spoke of the weakness of the Government by their efforts to "beat around the bush." He had no doubt the question was a very embarrassing one to them. Mr. Kerr followed on the same side, and Mr. Street defended the Government. The debate was hotly maintained by the opposition, and at each stage the excitement grew more intense, inasmuch as the question was purely one between the Government and the Opposition, and great anxiety began to be felt as to which side would be victors. Finally the question was put to the House, and the Government was defeated by a majority of four! All the members were present. Messrs. McMonagle and Kerr were against the Government this time, and voted with the Opposition.

The address was accordingly presented to His Excellency.

The terms of the Constitution, however, did not demand the surrender of power into the hands of the opposition in consequence of this defeat; for it was well understood that the twenty-one Government supporters were as adamant as ever, still remained a unit, and would not act upon a single catch vote to turn the Government

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out. No further action in reference to this matter was, therefore, deemed practicable at that time. [Mr. Earle did take the seat up stairs afterwards.]

March 11. There was a long discussion on a Bill to alter and amend the law relating to the office of Police Magistrate in the City of St. John. The Bill contemplated an increase of salary to £100, the amount at that time being £300. A petition was also laid before the House from the Common Council, praying that the bill should not be allowed to pass. The result of the sending in of this petition was, that many members gave the Bill their support, believing from the action of the Common Council that that body wished to have control of the office. There was a very strong feeling in the House against the Corporation having such control, and those who supported the bill argued that the office should be free from the influence of men or any body of men. On the other hand, it was argued by two or three members that the Common Council were supposed to represent the feelings and wishes of the City of St. John, ergo their request should receive some consideration. The Speaker argued that as the Common Council had personal feelings in the matter, they were

not in this instance entitled to any attention from the House. He believed that the Magistrate had received great injustice at the hands of the Common Council, and he believed that the latter did not correctly represent the feelings and wishes of the people, as the next civic elections would prove. Many other opinions were expressed pro and con on the Bill.

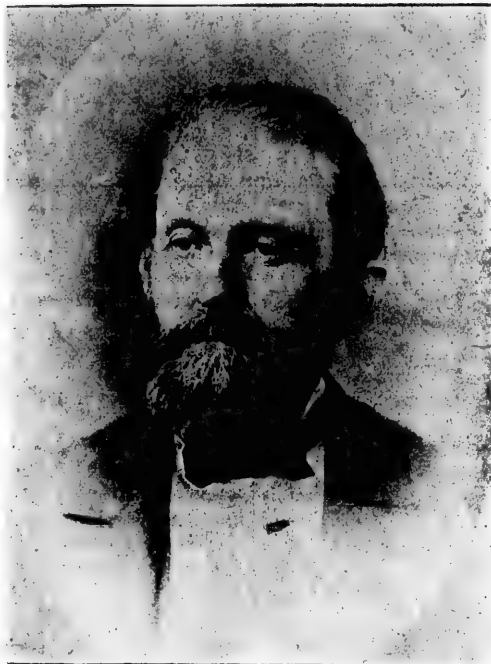
On the 16th. the House was so thinly attended all the morning that the Speaker began to think that hon. gentlemen had "taken French leave" of Fredericton. He said that if there was not a quorum, or twenty members present at twelve o'clock, the House must as a natural consequence adjourn until next day. The Sergeant-at-Arms was therefore called upon to proceed upon an expedition in search of the absentees and have them brought into

their place by the hour named. At twenty minutes before twelve the Sergeant returned, like the dove to the ark, but without even an olive branch, or rather a word that the requisite number could possibly be got together in time—and this after cruising through the hotels, boarding houses, committee rooms, billiard rooms, bar-rooms, and all other places where hon. members were supposed to congregate, at an expense too of wind and muscle which bore heavily upon a somewhat uncertain constitution; in fact the good official was all but exhausted, and unfit for his arduous duties in the House during the remainder of the day. At twelve o'clock, however, hon. members began to drop in one by one—no doubt the search of the Sergeant for them, having by this time spread pretty well through the naughts of Fredericton, and so had made up their minds like so many school-boys for an overhauling by the Speaker for their tardiness. All knew that the Government and House were in the power of this mighty functionary, and he could cut their heads off by a single blow at any moment.

In the afternoon business proceeded as usual, serenely: but the clouds were gathering and the storm brewing, but the time was uncertain when it would burst.

On the 17th the opposition murmured loudly that the Government did not give the House something to do. It was complained that they had been now nearly five weeks in Session, and with the exception of the Election Bill, which they alleged was simply a repetition of the old Law, with a few modifications made through the opposition, the House had for so long a time been unfortunately idle. The old enemies of Responsible Government founded upon this do-nothing course of action, an argument against the new principles. Under the old system the House did not wait for the Government to goad them into action. The fallacy of this idea need not be met, as at the present day it is self-evident to every politician.

On a previous day Mr. R. K. Gilbert introduced a Bill, (nick-named "the purification Bill") for excluding all subordinate officials from helping seats in the Legislature; and on the 17th it was taken up for discussion. The Bill by Section 1st. provided that no person will be eligible to be a candidate, or capable of being elected or returned as a member to serve in the Assembly, by any Sheriff or returning officer, where such persons held any office connected with the management or general revenue of the Province, or as Deputy Collector or Treasurer of such revenue, or Deputy Surveyor of Crown Lands, or



HON. A. H. GILLMOR.

Deputy Postmaster, or Surrogate, Judge of Probate, Registrar of Probates, Registrar of Deeds and Wills, Clerk of the Supreme Court, or Clerk of the Peace.

The second section was against all Railway contractors holding seats, or any one deriving the least emolument from Government works of whatsoever description. The third section was still more emphatic, declaring against commissioners, arbitrators; or, indeed (it might be added by way of joke) any one who stood and looked at the railway for half an hour at a time. The Speaker, like a taper, the more he burned the more his materials of supply appeared to give out. From having at one time been in the full blaze of a Responsible Government man, one of the main instruments in getting the principles into use, he was now tapering down into midnight darkness. In order to destroy the "light of other days," he prepared an additional

section of Mr. Gilbert's Bill, for excluding from the Assembly, Executive Councillors, Heads of Departments, Bankers, Aliens, (and it might have been added, every man who held an occupation for the purpose of enabling him to live by eating and drinking). His honor, however, found but two supporters to his amendment—the names need not be mentioned, as both are now dead.

Mr. Gilbert's Bill was carried, but was afterwards thrown out in the Council, that most useless of all useful bodies.

21st. This day was famous for another of those unseemly alterations, which had been so frequent of late, the chief actors being the Speaker and the refractory Opposition. The breach between the combatants had gradually widened with every fresh breeze, until now the chasm was too broad to be bridged over, even by conciliatory means, much less by persisting in the old combative course. The subject before the House was a Government Railway measure, for the purpose of reducing the number of Railway Commissioners from five to three, and making such other alterations in the existing law as was considered requisite. Mr. Gillmour having moved as an amendment to the first section of the Bill, that the Commissioners should not be eligible to a seat in the Assembly, the battle commenced. Mr. Botsford (late judge) thought the amendment very inconsistent with the principles of Responsible and Departmental Government. He maintained that there would be a great outlay by these Commissioners for travelling and contingent expenses, and he thought

the head of the Department should be on the floor of the House for the purpose of giving information; he would not say, however, whether he should vote for or against the amendment until he heard from members of the past and present Government. The Attorney General thought it would be better to put the amendment after the second section the mover having put it as a proviso to the first section. Mr. M'Adam said the amendment was just where it ought to be. The Bill was not worth voting for, without the amendment. If the amendment had not been put in he would have been disposed to treat the Bill with silent contempt. Mr. Boyd opposed the amendment. He did not want to see the Opposition have another laugh about defeating the Government. Mr. McLellan made a few appropriate remarks. After this the discussion took rather an important turn. The question immediately became one between the Government and the Opposition. The Attorney General looked upon the amendment as "a pleasant little mode of defeating the Bill." The Speaker, who expressed himself favorable to the amendment before the hour for dinner had arrived, suddenly arose when the discussion was resumed in the afternoon, and said if the amendment affected the Government, he would not vote for it. He thought it would be a great calamity to the Province to have a change of Government now. He thought the amendment did not go far enough, and for these two reasons he would now vote against the amendment. Mr. Watson replied to the Speaker and remarked that it was very unjustifiable for the head of the House to pursue such a course. Before dinner his honor had supported the amendment and now he came round and opposed it. The Speaker, for the second time, asked the question, if this was a Government measure, but he received no answer. He thought he had a right to express his opinions as a member of the House. Mr. Sutton said that the course pursued by his honor was a most extraordinary one. Once and again the Speaker had advocated the doctrine that all office-holders should be excluded from the Assembly, but now they found his honor voting against an amendment embodying this principle. Mr. Smith also thought that the course pursued by the Speaker was an extraordin-

ary one. By the unanimous voice of the House he had been elected to that responsible situation, but now they found him determined to support the Government good, bad, or indifferent. He thought it was an unfortunate position for the head of the House to tie himself to a Government in this way, and vote against a measure of the Government. He supposed he had been born thirty or forty years too soon, and therefore he would bow with deference to the opinions of "young New Brunswick." Mr. Smith replied. Mr. Wilnot attempted to reply to the speech of Mr. M'Adam, but the latter gentleman rose in his place and expressed a willingness to have his principles sifted with those of the Provincial Secretary at any day. The Secretary did not reply. Mr. Lewis supported the Amendment. Mr. Johnson replied to the Speaker, and commented at some length upon the position he had pursued after approving of the principle of the Amendment, and then voting against it, after finding out that it was going to affect the Government. He was not however surprised at this. Nobody found fault with his honor for being born thirty-five years too soon. He believed the Speaker had formerly fought for Departmental Govern-

ment, but now it seems he had changed his mind. The Speaker denied that he had ever supported Departmental Government. He had always supported true Responsible Government, but there was no responsibility in the present system.

Many other gentlemen spoke, but enough has been given to show the nature or extent of the storm, and the frivolousness of this particular House of Assembly. It was agreed between Mr. Gilmour and Mr. Smith that the amendment should be embodied in a separate Bill, which the latter gentleman introduced as a rider to the Government Bill at a subsequent day and carried it through the House.

Several other battles were fought, one day after another—on the 24th a terrible engagement took place between the inns and outs—but on the 26th the Waterloo of the campaign was commenced and ended in a route all round, a final break up and a dispersion of the House by His Excellency, as will be explained in the next article.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 19.

Dissolution of the House—Mr. McDougall's Defection from the Government Causes a Catastrophe—Only Half the Members Wait Upon the Governor Up stairs—The Governor and the Prerogative—Special Session of 1857—The Old Government Tender their Resignations—The Country Against Them—The Liberals Uppermost Once More—New Session Called—Financial Discussions—Railroads.

Immediately after reading of the Journals, Hon. Mr. Gray informed the House that the Government had unanimously agreed to recommend to his Excellency to prorogue the House with the view of a dissolution. (The reason for this will appear below, the Government having received a hint.) Mr. Smith arose and after speaking at some length in reference to the position of the Government, moved the following Resolution:—"Whereas, the members of the Executive Council have declared their inability to carry on the business of the country; therefore Resolved, that it is the opinion of this House they should immediately resign." Mr. Street spoke for one hour in opposition to the Resolution. Mr. Lawrence followed on the same side, speaking for upwards of one hour, when the House became impatient, determined as it were to hear no more speeches. A scene of great confusion and disorder followed. Mr. Lawrence persisted in keeping the floor. Messrs. Sutton, Johnson and others maintained that he (Mr. L.) should bow to the decision. The Standing Order was moved amidst great excitement. The Sergeant-at-Arms was unable to clear the galleries. Mr. Smith rose to speak and was interrupted from the gallery, Mr. S. with much warmth declared he was not going to be browbeaten by a Fredericton mob, and declared it was high time for the removal of the seat of Government. The galleries were cleared, but there was great excitement outside. Mr. Lawrence persisted in keeping the floor after the standing order had been moved, and great

confusion prevailed. Mr. McMonagle finally obtained the floor and denounced the Government as imbecile and incompetent, and entitled no longer to the confidence of the House.



MR. J. W. LAWRENCE.

Mr. McMonagle's defection from the Government ranks brought about the climax and the crash; for now the majority of one turned on the side of the Opposition. Instead of resigning their offices into the hands of their opponents, the Government concluded upon the dissolution policy, and thus preserve their chances of holding on and giving their "learned friends" as much trouble as the "Responsible Government" principle would justify.

Before the question could be taken on Mr. Street's Resolution. His Excellency arrived (at one o'clock) at the Council Chamber, and summoned the members of the House to attend him, when out of the 41 members 21 of them remained in their seats while the minority proceeded up stairs.

His Excellency closed the Session with the following Speech:—

"I have readily given my assent to the Bills which you have passed. On a full consideration of the present state of public affairs, I have come to the determination of proroguing this Assembly with a view to its immediate dissolution. I entertain the hope that the progress of public business will be fairly facilitated by the authority of a new Assembly."

This was cut off, in the middle of it, one of the stormiest Sessions ever known in New Brunswick: and after an existence of only a little over one year, the House in a short time afterwards was again dissolved by Proclamation in the Royal Gazette, and writs were made returnable on the 16th, May.

The whole country was now thrown into a state of great confusion. The friends of both parties called meetings in all the principal centres of the different Counties: speeches, as famous for their rabidness as for their moderation, were made—new politicians came to the surface—the young Cadets of Temperance whose principles had something to do with the first great difficulty, rose into the dimensions of full fledged orators, having undergone a good training in the Division rooms—the Governor was still the object of attack and defence by older politicians—the “prerogative” again underwent a severe scorching—Responsible Government was discussed in its most minute particulars—and the bearings of the points at issue examined; all elucidated.

An active canvass by candidates and their friends was now commenced and

carried on all over the Province. St. John being the head political quarters of the Province, and of a somewhat changeable disposition, it may be well here to state that the election resulted (23rd April) in the return of two Government members (Gray and Wilmot) and two Opposition (Wright and Cudlip.) Here was another indication that political principles sat lighter upon the consciences of this constituency than the leanings of personal friendship. The late Speaker (Simonds) was thrown overboard altogether. Had it been possible to divide his honour in two parts, it is probable that one half would have been elected on the Government side and the other on the Opposition. It would have puzzled any of the other Counties to judge of the real political status of the largest County in the Province by the result of this election.

Next day the elections for the City were held—the candidates were: Messrs. Lawrence and Debever (Government), and Messrs. Tilley and Harding (Opposition). After a sharp contest the latter were elected, without any great difference as to numbers to boast of. Tilley's majority over Debever was 114—Harding's over Lawrence 42. So that public opinion was pretty evenly divided in the City.

The elections all over the Province were concluded about the 20th May, resulting in a large majority of opposition members being returned. The Government shortly after this tendered their resignations, when His Excellency was placed in the awkward dilemma of being obliged to send for the two men with whom he formerly quarreled, (viz: Messrs. Fisher and Tilley) to form a new Government. That His Excellency could have anticipated such a sudden reaction, after being so well sustained by the people at the previous election, only a year before this, was not at all probable; for had he not considered that the change of public sentiment adverse to the men,

whose advice he had rejected, was likely to have been of a less permanent character, it is not probable that he would have held so tenaciously to the prerogative, and bowed his Council out of doors.

The following gentlemen composed the new government:—Messrs. Fisher, Brown, Tilley, Steeves, Johnson, Smith, Wark, Watters.

[Note.—Some of the Liberals out of doors complained that the new Government did not afterward ask for His Excellency's recall, when they had so large a majority at their back; but it was answered that His Excellency had received reproof enough in being obliged to call upon his opponents for help in the time of need—besides asking for his recall would have kept the country in a continual broil.]

SPECIAL SESSION 1857.

On the 24th June the Legislature was called together when Judge Carter swore in the new members.

James A. Harding, Esq., one of the Saint John City members, was chosen Speaker, only thirteen members voting against him.

In his opening speech, which was very short, the Governor alluded to the busy season of the year, and the exigencies of public business demanding immediate attention. The birth of another Princess and the death of the Queen's Aunt (Duchess of Gloucester) were noticed.

The Address in reply to the Speech was agreed to in both branches without opposition.

Mr. Gilbert again brought forward his Bill (passed at a previous Session, but failed in the Council) for disqualifying subordinate officials from holding seats in the House—the Session being a special one, there was no time to resume the subject then or on a subsequent day.

The principal business of the Session was the granting of supplies for the public service, and organizing matters as it were, for operations during the next year.

On the 26th on motion of the Attorney General, the House went into Supply—(the Provincial Secretary, Mr. Tilley, had not yet taken his seat, having met with opposition in St. John in Mr. Lawrence, he was obliged to go through another election, which occupied him a couple of weeks, and was therefore unable to be in his place in the House to give the Financial Statement—indeed he was not in the House at all during the session).



HON. JAMES STEADMAN.

Mr. Steadman (now Judge) was chosen Chairman. The mover spoke at some length in reference to the Estimates; he explained the financial state of the Province at that time, and the causes which led to the making of necessary appropriations without Legislative authority. There was quite an animated discussion on some of the expenditures of the previous year; and the "Gray and Wilmot Government" were severely handled: but in reply they gave good reasons for what they had done, based upon the ground of public necessity. Party spirit again manifested itself in sharp imputations and recriminations. The tables, however, were turned, this time there being a large majority against the "Speaker's Government"—so that the

friends of the new formation were powerful to speak and strike too. Then the unfortunate "Initiation" question was again riddled as on a former occasion, in consequence of members complaining that several provisions in the budget were entirely too large to be passed hastily, and without due time and consideration. One honorable member denounced the system as abominable, and said he would perish at his desk before he would consent to give up the Initiation to the Executive. The Government had been placed in a somewhat embarrassing position in making up the estimates; from the abrupt manner in which the late session was brought to a close, and the consequent appropriation without authority of the Legislature, of large sums for the public service. Some hon. members believed that the hasty passing of the budget would shield a few of the financial delinquencies that lay at the door of the late Government. Mr. Cudlip commented in a facetious strain upon the harmonious feeling that apparently existed between members of the two Governments upon money matters. He said he did not wish to do anything to embarrass the Government, but he wished to see the Accounts come before the House so that they could

be clearly understood. Among the items, the expenses of the Session of the Legislature ending 26th March, 1857, and paid by the Central Bank are as follows:—Pay of members of the Legislative Council, £1,312; House of Assembly, £2,490; officers, door-keepers and messengers of Legislative Council, £146 15s; House of Assembly, £168 12s. 6d.; contingencies of Legislative Council, £1,104 15s. 2d.; of Assembly, £1,121 11s. 1d.; postage of Legislative Council, £87 4s. 7d.; of Assembly £220 3s. 1d., Librarian £100. Total, £7,475 16s. 5d. The proposal to grant £2,600 for the maintenance of the Penitentiary gave rise to a long discussion. Mr. Mitchell said the impression in the North was that Institution was "one grand job," and that there was much mismanagement in the manner in which it was conducted. Mr. Wilmot assured the hon. member from Northumberland that the commissioners of the Institution were men of respectability and standing, and that its affairs were well and satisfactorily conducted. The amount finally passed, when Mr. Mitchell again addressed the House, urging the importance of having further information from the Government respecting these large amounts in the budget. He thought it wrong to pass them hastily, and therefore moved that progress be reported, and supply be resumed on Wednesday morning next, when it was expected that the Provincial Secretary would be present. On the question being put, the motion was lost, Messrs. Mitchell, Sutton, Cudlip, McLeod, Allen, McLeifan, Gilmour and Botstord voting in the affirmative.

June 30. The most important debate of the Session turned upon a resolution offered by Mr. Gilmour, to the effect that the Railway extension from Fredericton to Woodstock, and Shediac to Miramichi, should not be proceeded with for the present, in consequence of the depressed financial condition of the Province. It will be remembered that these extensions were simultaneously provided for in the European and North American Railway Act. The resolution was strenuously opposed by Mr. Kerr, Mr. Connell and other Government members. Mr. Chandler, of Charlotte, referred at some length to the history of the St. Andrews and Quebec Railway, its prospects, and the benefits likely to arise from its construction: 65 miles of this were under contract, and 20 miles more would bring it to the St. John River, and all could be got along without the assistance of the House. He had no faith in the paying qualities of the line from Fredericton to Woodstock, nor the one from St. John to Shediac. Mr. Steadman said he believed now was the time to proceed with the construction of Railways instead of stopping them. Instead of embarrassing our finances, it would greatly improve the business condition of the country. We had either to build the railways or else be behind all other countries. The whole contemplated cost of the railways in New Brunswick would not amount

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to as much as the Provincial debt of Canada. He was prepared to see the present scheme with the extensions fully carried out, and the line from Fredericton to Woodstock would have to be built sooner or later. The government had power to stop the works, and they needed no further expression of opinion from the House. The resolution, however, was finally sustained; only 13 voted against it.

[NOTE.—From that time and for some years afterwards nothing was done towards these extensions—other schemes took their place—such as the branch from St. Andrews to St. Stephen—from Woodstock to the line in rear of it—and from Fredericton to Hartt's Mill's.]

Mr. Tibbits moved a resolution for suspending operations on the Railroad between St. John and Shediac. He said this undertaking, if persevered in, would result in the Province being swamped and the Railroad debt repudiated. Mr. C. Perley said he had always looked upon the St. John and Shediac Railroad as a mammoth humbug. He believed the line would never pay working expenses, much less yield the interest on the cost; and those who lived to see it completed would find out that what he said was correct. Mr. Connell also supported the resolution. After a round of sectional speeches the resolution was put and lost.

On the 1st, July His Excellency proceeded to the Council Chamber and closed the shortest Session (one week) in the shortest Speech (four lines) ever known in New Brunswick.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 20.

SESSION of 1858—The Dismissal of the Sergeant-at-Arms—Quite a Commotion—New School Bill—Contention about the Bible in Schools—Removal of the Seat of Government to St. John—Warm Discussion Thereon.

SESSION OF 1858.

On the 10th of February the Legislature was convened and a lengthy speech delivered by the Lieutenant Governor. Mr. Garden, who had been Sergeant-at-Arms of the House for many years, was superseded in his office by the Government, and the position given to Mr. Coburn. Strong feelings were expressed by the opposition, led by Mr. J. C. Allen and Mr. John H. Gray, and denounced as an unprecedented act by any Parliament in the world. The Government, however, was strong in number and voted the opposition resolution down,—14 to 21—whereas had it been carried it would have been tantamount to a want of confidence vote. As there had been several removals from office since the Liberals came into power within a year, the motion just made was brought as a test question. If carried, restoration in all the other cases would have been insisted upon by the opposition.

Early in March the Attorney General (Fisher) introduced a Government measure, entitled "A Bill relating to Parish Schools," which led to a discussion lasting many days, at intervals of time. A recital of the condition of the Schools in 1858, is all that is necessary to enable the educationalists of 1894 to contrast the relative positions. In 1857, £27,889 11s. 6d. was appropriated to education, including all kinds of educational establishments. This was in a population at that time very little exceeding 200,000 persons, and £20,000

entire the Grand valley railway, with an net was for Parish Schools alone. This expenditure required a corresponding oversight, supervision and control in order properly to benefit the country. In proportion to the population from 32,000 to 33,000 children ought to be attending school, which was the most that could be expected to attend. In 1857, according to returns made, over 29,000 children attended the public schools, which were 773 in number. No system it is remarked, could be perfected at any one time. None ever had been. Take Nova Scotia or Canada for instance. There was probably no better system of Education in the world in 1858 than that of Canada West. That system under the care of a very able man had been growing for 12 or 14 years. In 1846 it was in a very chaotic condition, even with a perfect system of Municipal Government, which taught the people the virtue of self reliance. In this Province up to 1841 there was little or no change in our educational system. There was no classification and no arrangement. There was but one salary for teachers (£26). The only control over the schools was by Trustees. In 1845 and 1846 certain leading men considered the question of education had grown to greater importance, and in 1846 a Report of a Committee of the House of the Assembly was embodied into a Bill, which was considered by the House and lost. This, however, broke the ground for the new system. In 1847 there was another Report and a law was enacted providing very many of the parts of the law then existing.

It is not necessary to notice more particularly the amendments suggested in the old law by the Government to render applicable the scope and genius of the present Bill to the requirements of the day. It is enough

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to remark that the passage of this measure in 1858, with its improved machinery, paved the way for the School Law as it exists in 1894—for with few exceptions, such as general taxation for educational purposes, Superintendent, his duties, &c.—the Acts are very similar. Every amendment proposed by the Opposition was voted down. "Religion" and "Morality" formed two of the staples in the discussion, and caused much asperity and bitterness, in which strong sectarian feeling was exhibited throughout. No matter what the faith of politicians—whether they were religious or not religious, they all had something to say about the Bible, and that that book must be maintained at all hazards, as the bulwark of all sound education. But there were those who did not want the Bible at all in schools, unless upon certain conditions. Others that its use should be made optional with the Teachers. (It did not, however, signify with members generally how the Bible should be treated. Their sincerity rested upon their *political faith* altogether. As an example, Mr. Gray would make it compulsory that in all schools alike the Bible should be read; while in opposition to this view, a Roman Catholic gentleman said that if this were done it would be an insult to his co-religionists. Another Roman Catholic gentleman on the same political side with Mr. Gray, would also make it compulsory that the Bible should be read in schools. To test the question, Mr. Gray moved an

amendment to the following section:—"No pupil is required to read or study in or from any religious book, or join in any act of devotion objected to by his parents or guardians." Mr. Gray's amendment to this section is as follows:—"That a portion of the Scriptures should be read by every Teacher to the pupils in the Parish Schools every morning on the assembling of the School. The longest debate upon any section of the Bill turned upon this Bible issue; but the amendment was finally voted down.

On the 25th March, Mr. McLeod (King's) moved a resolution for the removal of the Seat of Government to St. John. As this question came up again in 1880 on the burning of the old Parliament buildings, it may be of some interest to the Politician of the present day to read what was said upon the subject a quarter of a century ago.

Mr. McLeod on speaking to his resolution said in substance he had no interest in this question himself, more than for the public good, and he moved this resolution to set a vexed question at rest. The House was no longer commodious or convenient. Its narrow capacity and fetid atmosphere were most uncomfortable and unhealthy. The sums annually expended here for repairs and other purposes would be more than necessary to pay for a better place elsewhere. The majority of the people coming either to the Legislature or the Public Offices, had to pass through St. John, and it would be cheaper and more convenient to them to stop there. At least £800 a year could be saved in printing; £800 a year in repairs; and the Treasurer and Railway Commissioners being in St. John, they could be more conveniently consulted there.

Mr. End hoped the question would be now settled once and forever. He had made up his mind in regard to the general interests of the country, and not on mere local considerations. Every stranger praised the present site of the Seat of Government, and commended the selection of our ancestors. This House gave better accommodation than given by many of the New England States; and as to the atmosphere, it could not be compared with that of St. John—the foggy atmosphere of St. John. As to its size, the House was large enough for its members. The sum of £14,000 had been borrowed for certain purposes in Fredericton. If they destroyed the value of property here could they ask the return of this sum? (Cries of no, no.) They would sacrifice Fredericton without benefiting St. John, and certainly this was not desirable. There was no pressure on this subject. There was not a petition on the table respecting it. We had an enormous debt, with an interest of a hundred pounds a day. (Mr. Johnstone—you only double it.) A mere denial of his hon. friend did not satisfy him, for he had made a calculation, if in error, he should be glad to be corrected. Well, we are going now to enter into an expense of £100,000, while we had scarcely a road or bridge in the Province, and we were to do this to get rid of a little fetid air, and to convenience a few members who had to come through to St. John? Fredericton was as central a place as could be found, and the river was a magnificent highway to it. He referred to the Legislatures of the United States, nearly all of which were situated at rural towns, and not at centres of commerce and industry. He had no local or monetary interest in the matter; he looked at it simply as a matter of justice, and he hoped it would be settled as his hon. friend had said "once and forever."

Mr. Kerr felt a difficulty in voting on this subject, because he believed it would cause great expense. No arrangements had been made at St. John, and if this resolution passed, those who had suitable places in St. John would immediately raise the value of them fifty or a hundred per cent. The Halifax Legislative Buildings cost £120,000; and unless he knew what his constituents and the country thought of the matter, he would not support the motion. He thought, too, some notice should be given to the people of Fredericton, so that as little injury as possible should be done to private interests.

The Provincial Secretary was prepared to vote on this subject and in favour of it. A large portion of his constituents were indifferent on this question; as to the people of Fredericton they would not suffer by it as was supposed. The only doubt he ever had on the subject arose from a fear that in a large city there might be external pressure brought to bear on the Legislature. But this was not the case in Boston, or in Richmond, in Virginia. The expense would not be so great in St. John, and a place could be rented for less than the cost of printing and publishing the debates which would then be saved (?) The office of Receiver General could be abolished, the Post Office expenses could be lessened, and the present Queen's Printer could, if he moved to St. John do his business at less cost by £500 than now. He felt that in five years property in Fredericton would be worth more than now. But that was not the question, it was public interest alone. As to the expense of buildings, Charlottetown had a fine stone building for £13,000, and if it were necessary to erect buildings the most that would be required would be £30,000. The de-

partments could be all brought together and consequently be got much cheaper. He thought in every respect the movement to St. John would benefit the country, and on that ground he should vote for it.

[NOTE.—The writer would here interpose a few remarks in reference to the above suggestion, viz: "that the departments could all be brought together, and consequently would be much cheaper." It has always appeared to the writer that a great blunder was committed by a previous Government in not having made provision in the new Parliament Building for all the public offices to be concentrated under the one roof, the failure of which necessitated a heavy but unavoidable expenditure for another large building for the special use of the public offices.]

PROGRESS, SATURDAY, MAY 26, 1894.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
House of Assembly of New Brunswick,
from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

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No. 21.

Discussion on the Removal of the Seat of Government Continued—The Intercolonial Railroad—Quite a Breeze, Almost a Gale—End of the Session.

Mr. C. Perley thought it was in the interest of the country to build up towns in the centre of the Province, and for that reason he differed from the Provincial Secretary. In Maine the Legislature had been moved to Augusta to avoid popular pressure. He believed those who voted for this resolution did not deserve the confidence of the country.

The Postmaster General said he should give his vote without regard to his position in the Government, and whether it was well or ill for the Government. As to influence brought to bear, he thought it would be less in a large city than a small one; at all events Fredericton had the advantage of it in this discussion. As a financial question he made up his mind that to move to St. John would effect a saving equal at least to £2,000 a year. He repudiated the idea that the existence of Fredericton depended on the Legislature. Why, it was wilderness all round Fredericton, whereas higher up the river, where they were not dependent on the Legislature, the country was flourishing. Another reason why he wished the Seat of Government removed was that the Courts would be moved to where nine-tenths of the business was done, and the tax upon the people paid for attendance at the Courts would be saved. If members could satisfy him it would cause additional expense he would vote against the resolution if not, he should vote for it.

Mr. Hanington, (the late Hon. Daniel) said this question had not been mooted since 1848, when he voted in favor of the



HON. DANIEL HANINGTON.

removal. He thought the Province would be benefitted by the removal. Even if it cost a considerable sum of money he should still vote for it on economical grounds.

Mr. Wilnot took a broader view of the question than other members; he believed the days of this Legislature were numbered that the Colonies would be united, and he did not care how soon he ceased to be a member of this Legislature, with which he had become disgusted.

The Attorney General could not support this question free from embarrassment. He was personally interested in the matter, and those who would follow him were interested. It was a matter of great public concern and a locality were to be injured reparation should be made to the inhabitants of that locality. The position of the Seat of Government had been wisely chosen for the convenience of the Province. He referred to the cases of the United States and Canada.

and Canada, and it was believed that the time had arrived when something could be done. Mr. Wilmot said if his Government had been allowed to stand, some arrangement would have been entered into on this subject, and a subsidy would have been granted. He held in his hand papers to which he had referred on the hustings, but he could then only refer to them because they were communicated to him in confidence. Circumstances had changed since the Crimean war. He then went into a consideration of the merits of the present administration, calling them a Government of false pretenders. The Postmaster General defended the position of the present Government. Mr. Gray said the Government had certainly performed their promises, they promised nothing and they had done nothing. Mr. Mitchell cautioned the Attorney General to do justice to the North, giving to the different sections of the Province fair representation in the location of the line. The British Commissioner should select the site. The Provincial Secretary hoped they would decide on some line. If, as his predecessor thought, he could have got an Intercolonial Railway last winter, he supposed there could be no doubt there was a probability of getting it now. Mr. Steadman said that when Great Britain wanted to connect the Atlantic and Pacific, she would assist this Railway and not till then. However, this application would cost nothing, and he would support it. Mr. McPhelim, Mr. Hanington, Mr. Gilmor, Mr. McIntosh, Mr. McPherson and the Surveyor General said a few words. The Attorney General said the manner in which the late Government got into office was a blot on the history of the country. (Hear, hear.) They had trampled on the constitutional liberty of the country. (Hear, hear.) Mr. McPhelim rose to make some observations, but he was obliged to sit down by the cries of order.

This breeze is indicative of the political feelings of the times when Responsible Government was yet in a transition state. The "Gray and Wilmot Government" as it was called, was composed of honorable, upright men, in whom the interests of any country might be confided, but politically speaking they did not keep pace or act up

to the situation of their Legislatures. The population of the Counties around Fredericton had increased in a greater ratio than any of the other Counties except St. John. If they were called upon to-morrow they would fix the Seat of Government here or a little further North. In Halifax members had been stoned in the excitement of the mob, and when the tariff was under discussion here, deputations arrived every day and controlled in different directions every item of the tariff. The state of the country around Fredericton was advancing as rapidly as any other part, and he could show the Postmaster General many finer settlements. He thought this a strange time to moot this question as communication was getting easier, and there came a telegraph as it were to every man's door.

Mr. Gilmor of Charlotte moved in amendment that a Commission be appointed to take the whole subject into consideration during the recess, ascertain cost, obtain plans, &c., &c., and report at the next Session, which was carried 20 to 19.

On the 31st a strong breeze sprang up in the House on the subject of the Intercolonial Railway. The Attorney General moved a resolution for an Address to Her Majesty on the subject of an Intercolonial Railway. This was the result of a consultation with delegates from Nova Scotia

to what was then considered to be the requirements of the times, by those especially who saw nothing in Responsible Government but political health, wealth and prosperity. But history like this has been repeated over and over again, by successive parties in and out of office—nor had all the misdeeds on the one side, or all the virtues on the other, ceased until about twenty years ago, to be dallied about as terms of reproach or of admiration by contending Politicians. So long as the leading offices are open, as they should be, for the emulation and laudable ambition of the talents of the country, so long will one set of men keep watch over the actions of others, and strike at their misdeeds whether real or imaginary, whether founded upon justice, or in their conceptions of justice.

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On the 6th of April the Legislature was prorogued after a two months' Session, said to be unusually short—the average time being three months. It had not been fruitful of important measures—nor was it a Session famous for undue excitement. Parties by this time understood pretty well their relative strength. The one in power was well consolidated; and the new system, by which real authority was recognized and the duties as well as the responsibilities of Ministers defined, divested individual members of much of their influence. If money grants were wanted the government were the parties to apply to, and could not be brought, as of yore, upon the floors of the House for lengthy discussion and disposal. Much time was saved, and much more work done in a given period. In short, the Government were now supposed to lead in all important matters—and the country thenceforward would hold them answerable for sound legislation and economical management of the finances. And, yet, on the whole, the system was far from being complete, for want of all the machinery requisite to carry it on, but which was gradually coming in—and for want of precedents and opportunities under certain contingencies, for putting it into practice where experience had not as yet pointed the way. Members, however, were disposed to learn, and willing to be guided by the light they had, in the ways of the Constitution. The opening of the next Session will exhibit one of the Constitutional lessons of which the Government had still something to learn—and that was in the election of a Speaker.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 22.

Choosing a Speaker—After Much Contention Hon. M. Johnson of Miramichi was elected—Employing Reporters—Amusing discussion on honesty of Reporters—Bill for Making the Legislative Council Elective—Interesting Discussion on Heads of Departments—The Old System and the New—Discussion on the Great Roads,—The Provincial Secretary's Financial Statement.

SESSION OF 1859.

The House was called together on the 10th February, and the first business to be done was to choose a Speaker. On assembling in the Council Chamber His Excellency directed the members to return to their room for that purpose. Perhaps never before nor since, was there so much contention in making a choice. At the present day the Government are supposed to make the nomination and strong enough to carry their man, as the strength of the Government is a test question in this case. Several gentlemen were nominated from different parts of the House, representing diverse political views. Mr. D. Hanington was nominated by one party and Mr. J. M. Johnson (a member of the Government) by another. Mr. James Steadmen by another. Mr. Bliss Botsford by another. Not that a distinct line had been drawn between the respective nominees by their friends, so much as that each in himself embodied certain views which were sympathetic and cogent. So far from the Government feeling, that it was incumbent upon them and their friends uniting for a Speaker, some members of the Government voted against Mr. Johnson (one of their colleagues). As it was impossible for the house to agree upon a Speaker that day, His Excellency returned to Government House without delivering his speech; and after nominating and rejecting candidates for the office, the House adjourned until next day (11th), when on re-assembling the battle was renewed and kept up until a late hour,

when the Hon. J. M. Johnson finally became the choice. But it was not until the day after (12th), that the Governor delivered his speech, when the work of the Session fairly began. A lengthy debate took place upon the subject of employing Reporters, which is only referred to here, to show the apathy or ignorance of the times on Constitutional matters, or the duty of Governments. Notwithstanding the initiation of all money votes had been surrendered by the House, and the Government were held responsible for the expenditure of every dollar, members moved according to their individual ideas of compensation to Reporters various amounts—one proposed fifty pounds to each Reporter—another seventy five—and so on, as if the House still held the purse strings; and yet the Government did not protest. £150 were voted, viz: £90 between two, and £60 to the one who reported *most impartially!*

The following remarks will convey an idea of the treatment of Reporters. Mr. Hanington wanted to know how the Committee were to decide on the merits of the different Reports furnished to the newspapers. He would like to hear from the Chairman of the Committee. Mr. Mitchell explained that it was the intention of the Committee to keep copies of the papers, and examine them as they are published, and by thus having a check upon them, at the end of the Session the Committee would be enabled to say which Reporter or Reporters would be entitled to the whole amount or a portion of it. Mr. Wilmot in a few humorous remarks about old foxes and young bears said he was glad to find that the Committee had taken upon them the onerous duty of judging as to the merits of these reports.

[The above simply signified—mind, and be good boys—you must report so as to please every member, be partial to all, and impartial to none at your risk! Reporting in those days was in its infancy, literally as well as figuratively.]

Feb. 19.—A Bill was introduced by Mr. McPhelim for making the Legislative Council elective.

On the 22nd February a long discussion took place for the abolition of the Postmaster General as a Political officer. This office was provided for under the first Liberal Administration in 1855, but not to be filled up until the exigency of the public service demanded it. As soon as the Wilms and Gray Administration was formed in less than a year afterwards, the "exigency" had arrived—for Mr. McPhelim was appointed to the office. Now in 1859, a Bill was brought in for reversing the order of things, and going back to the old system. The discussion was a strictly party one. One gentleman on the Government side referred to the time when there was none of the Heads of Departments on the floors of the House, when there was no way of getting redress from the home Government but by delegation; and notwithstanding that under the present system of our constitution £600

was paid to the Provincial Secretary, who had charge of the department, an equivalent for that was obtained by the fact of there now being on the floors of the House, such an official to answer all questions—and he was sure that the work of the different departments was better done and cheaper—there was a greater desire to economize and to save the money of the country. He was in favor of having more of these departments upon the floors of the House, and would go for a measure to bring in the head of the Railway Department; for he felt satisfied that it would be beneficial to the country to have him here. He referred to the time when the Surveyor General counted his salary of thousands of pounds instead of hundreds as now. [The salaries paid to officials in the early days were enormously high, ranging from one thousand to two thousand pounds. The Surveyor General's office, it is said, virtually ate up all the revenues derivable from crown land sales—at all events there was very little left "after paying all expenses." No wonder that the old party and their hangers-on resisted Responsible Government—and that the classes disregarded the masses!] If any office were abolished he would rather see that of the Solicitor General done away with than that of Postmaster General, but he would be guided more by the advice of his legal friends. He would go for having the Postmaster, Attorney General, Provin-

cial Secretary and Chief Commissioner of Railways, above all others, upon the floors of the House, to give them an opportunity of explaining their conduct to the representatives of the people. He reiterated his belief in the principles of Constitutional Government. [The Bill received "the three months' hoist." It took a long time to get the Constitution beyond the reach of petty cavilling ere it could be reduced to practical working order, and the foregoing is an instance of it.]

On the 24th February, on motion of the Attorney General, a (Government) Bill was introduced relating to Great Roads. It provided to add 450 miles of bye roads to the great roads of the Province. This number was to be fairly portioned among the different Counties, with the exception of the two newest Counties—Restigouche and Victoria—which were to be considered more largely in the distribution. One of the members from St. John (Mr. John H. Gray) objected to the Bill because there was no information before the House to justify the passing of a measure involving an expenditure of \$50,000 (\$200,000). The Provincial secretary said that he believed a great saving would be made to the country if all the bye roads were placed on the great road establishment. Mr. Lawrence (opposition) was opposed to proceeding or making any change this year, until the finances of the Province had been fully understood; he questioned if the condition of the Province was such that an expenditure of £50,000, or any great sum in the direction indicated, would be justifiable. It was Mr. Wilmot's (opposition) opinion that it was the introduction of a new system of log-rolling, under which the most corrupt practices were possible. Mr. Smith (Albert) waxed indignant at such an announcement. He defied any one on the floors of the House to put his finger upon any corruption or log-rolling on the part of the Government. Mr. Wilmot answered that he believed the corruption was in bringing all the roads in one Bill, instead of each coming up on its own merits. The debate was finally closed by Mr. Fisher; and on the question being taken there appeared six for Mr. Gray's amendment, and twenty eight against—so that the bill was sustained.

[NOTE.—Mr. Gray's amendment was to the effect that the road from St. John to Quaco should be included in the Government scheme. Enough is given from this debate of several days' occupancy, to convey to the reader quite sufficient for him to form a general idea of points raised.]

On the 28th, on motion of the Provincial Secretary, the House went into Supply. The mover having introduced a Revenue Bill and the Estimates for the current year, delivered quite an elaborate address. In order that the reader may have some idea of the financial condition of New Brunswick in 1859, as well as the items of indebtedness, an abstract of the hon. gentleman's statement is deemed to be worthy of the space it will here occupy. The estimated expenditures of the past year, ending 31st October, 1858, (said Mr

Tilley) were £129,319 18s. 5d., and the amount paid out £130,164 10s. 6d.; the excess of expenditure over receipts being £784 18s. 1d.; the receipts were something over £114,000 leaving a falling off of £115,000; the total liabilities of the Province at the close of the fiscal year were £864,364 15s. 9d., and the assets £737,657 3s. 10d. If this statement of the assets and liabilities was compared with that of last year, it would be found that notwithstanding the deficiency of £15,000, this amount has been made up, and there was an increase of £4,000. The Railway, of course, got the benefit of this; but he only mentioned it in rendering in the general account. Mr. Tilley referred to the great commercial depression of the past year, and said that had all the Banks in this Province suspended specie payments, the Government had made such arrangements with Messrs. Baring and Brothers, that they would have been able to pay all the demands against it in the Savings Bank, and they would, if paper money had been depreciated, paid the Railway Contractors in cash. He then referred to the position of New Brunswick debentures, and claimed credit for the exertion the Government had made to raise the character of New Brunswick debentures in the London Market. This had been done officially and semi-officially; gentlemen at home interested themselves in this; and he would mention with pleasure the name of Thos.

Daniel, Esq., a gentlemen resident for many years in this Province. The presence of the Delegates at home from the different Colonies had had a good effect upon Provincial Securities; and he went on to compare the difference originally existing between Canadian and New Brunswick Debentures when Canadian were quoted at 119 and New Brunswick at 102; at the present time Canadian were quoted at 113 and New Brunswick at 111½; he entered into this detail to show that it was not the change in the money market, but rather the increased character of New Brunswick debentures that caused this. He referred to the arrangements with Messrs. Baring by which the Province obtained money at five per cent., when the Bank of England was charging 10 per cent. The estimated expenditure from the ordinary Revenue for the present year is estimated at £132,840; and the expenditure is set down at £132,337. The whole resources of the Province from every source is estimated at £156,961; and the whole expenditure. £155,940. Mr. Tilley proposes to raise a sum of £7,000 by an additional tax of 2½ per cent. on unenumerated articles. [A bill for this purpose was introduced.] £500 was asked for Emigration purposes in addition to a sum of £200 not drawn last year. He said that the Emigration Office in St. John had been put upon a good footing; and described an arrangement entered into between the Government and the Canadian News, published in England, by which a certain portion of that paper was to be devoted to furthering the interests of this Province, its title has been changed to the 'Canadian News and New Brunswick Herald.' £2,500 was asked for Steam Navigation; £1,000 extra to go for the establishment of a weekly line of Steamers between Shediac and Restigouche and P. E. Island. In the sum for Agriculture, Mr. Tilley said it was the intention of the Government to make no provision for a model farm, but every year, commencing with 1860, an additional sum of £750 was contemplated for the purpose of a public exhibition of Agriculture and Mechanical Arts—to be held alternately in different parts of the Province. It was intended to place all the public buildings under the control of the Board of Works. Mr. Tilley's statement was very clear and explicit, and occupied an hour and twenty minutes in its delivery.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the
House of Assembly of New Brunswick,
from the Year 1854.

By G. E. FENETY, Fredericton, N. B.

No. 23.

Hon. Mr. Tilley's Budget—Days of Light Taxation bordering on Free Trade—Hon. R. D. Wilmot's Plan—Repeal of the English Navigation Laws—Our Trade Prosperous but Threatened with Dire Consequences—Hon. Peter Mitchell—Report on Removal of the Seat of Government—Crotchets on the Revenue Bill—The Insolvent Law—Opinions For and Against its Working.

On the 4th March a Medical Bill was introduced and carried—but it is not considered of sufficient importance to reproduce the discussion here. It is only now referred to that medical men of the present day may know where to look for it.

On the 3rd March the House went into Committee of the Whole on the Revenue Bill. Hon. Mr. Tilley said there was little difference between this Bill and that of last year; there was an additional $2\frac{1}{2}$ per cent. put upon wines; it remained the same upon brandy and gin, as it was feared if the duty was increased upon these articles it would lead to an increased amount of smuggling. In order to settle difference of opinion that existed between Deputy Treasurers and Provincial Treasurer, and the Government itself, the duty upon railway iron had been fixed at one per cent.; hitherto soaps had been admitted indiscriminately; now the more valuable kinds would be charged $12\frac{1}{2}$ per cent. All under 6d. per pound would be 3d. All kinds of grain were formerly admitted free; now malted grains would be charged $12\frac{1}{2}$ per cent., and unmalted would remain as before. There had been some difference of opinion respecting tinctures, and at times 1s. 6d. per gallon had been charged upon them. He proposed to admit them at a duty of $12\frac{1}{2}$ per cent. The principal enumerated goods would be charged £12 10s. instead of £10. The estimated revenue for the year according to the present rate of duty was £103,000, and by this increase he expected to obtain £7,000 additional.

Mr. Wilmot (R. D.) said he had himself prepared a statement upon the general

finances of the country. He would commence by saying that it would take more than an ordinary Lawyer to make anything out of the Auditor's Report upon the public accounts. Mr. Wilmot then went into a lengthy examination of the Accounts of the Province, submitted by Mr. Tilley, and read some tabular statements that he had prepared upon our financial affairs, drawing altogether different conclusions as to the state of the public debt, and the requirements of the coming year that had been drawn by Mr. Tilley. [The writer does not conceive it of sufficient importance to follow the hon. gentlemen any further, although his remarks are very able,—his speech was mostly taken up with figures—a stout battle with the figures of the Provincial Secretary. Between the statements of the two honorable gentlemen, no ordinary reader would be capable of striking the balance of correctness, even if the whole debate were published instead of the pith and marrow as contained in the two epitomes above.]

On the 11th of March, the English Navigation Laws underwent a vigorous overhauling, Mr. Peter Mitchell having introduced a resolution upon the subject. The gist of the discussion here given will show to the reader the views held by our Legislators and People in 1859. The resolution it was alleged referred to a matter of the greatest importance to the Colonies. It was contended that our Shipping interests were gradually extending, and now our ships had a large amount of the carrying trade of the world—that while the shipping of Britain had of late years increased 40 per cent. and that of Foreign Nations 100 per cent. if this were to continue the effect would be lamentable. It was said that six vessels, lately loaded in London for Australia, were foreign vessels, as an evidence that the British coasting trade was in the hands of foreigners. The result of the repeal of the Navi-

with the Coasting Trade and Registry of their Vessels in British Ports, which we do not enjoy in theirs: And whereas the period has now arrived when the interests of the Empire require that the Government should take such steps as would induce the fullest recognition of the principle and practice of reciprocity on the part of all Foreign nations, who now enjoy the privileges hereinbefore referred to in British ports.

"Resolved, That an humble Address be presented to her Majesty on this subject, and further, that the Honorable the Legislative Council be requested to join the House in such Address." [Carried and the Address afterwards sent.]

[NOTE.—This by the way. Mr. Mitchell is one of the few survivors of the House of 1859; and at this writing, June 1, is among his old constituents in Northumberland, with bright prospects of being returned to the next Dominion Parliament. The writer and this hon. gentleman were always identified in local politics, and I ever found him a staunch true man politically.]

It will be recollected that at a previous Session a Commission was appointed to consider the matter of the Removal of the Seat of Government to St. John, agreeably to a resolution of the House, and to make a report. On the 4th of March the Hon. the Provincial Secretary introduced the Report. And it is only necessary to say here that the minimum cost would be £49,000, and the maximum in round numbers £60,000. Between these two sums he shows very plainly the fluctuations between prices. On the whole, however, the writer believes that the cost would go far beyond the larger amount given, as in all cases of such like calculations. This, however, was the end of the removal business, as it appears to have settled the question forever, and a desire was shown to "let well enough alone."

On the 16th March the House went into Committee on the Revenue Bill. Every member had a crotchet of his own, in the laying on of duties. One gentleman was in favor of a duty on leather as a protection to the Tanner; while his neighbour was opposed because it would injure the Shoemaker. "Old Tom" (Gin) had found its way into the Province in extraordinary quantities, under the head of "cordials." A strictly discriminatory duty must therefore be affixed, and the "Old Tom" watched. The friends of "Old Tom" (whiskey no doubt included) stood out for the poor man—while the advocates of the rich were opposed to high duties upon wines and brandy.

On the 22nd March the House went into Committee on a Bill for repealing the Insolvent Debtor's Act, which had been in existence only two years. The debate was very lengthy; but it may all be summed up in remarks made by a few of the speakers—enough for the reader to form some opinion as to the state of business about this period. Hon. Mr. Smith said the Act was one of hasty legislation, it was got through the House on the day of adjourn-

ment. Laws had been to throw open the trade of the British Empire, without any corresponding remuneration. Mr. Mitchell read some statistics to show that a great portion of the carrying trade of the Province and that of the empire was in the hands of foreign vessels. He urged the necessity of fostering our own trade, as we could do nothing upon which we were so likely to build up our future welfare as the shipping interests. He went over the arguments used for and against the appeal of the Navigation Laws, and read the clause in the Act 15th and 16th Victoria, empowering Her Majesty, by Order in Council, to place upon foreign ships the same restrictions as were placed upon British ships by foreign nations. He wished for the enforcement of this clause—that we might be put upon an equal footing with other nations—and hoped that the action of the commercial men of England, in reference to these laws, would be sustained by the Legislature of the Province.

[The Merchants of New Brunswick have always been very sensitive whenever material Council, \$125,000; Grant to Local C

ters which concerned their interests have come before the Imperial Parliament, as in the shape of a measure for the repeal of the timber duties, or the Corn Laws, or the repeal of the Navigation Laws. At a later day, public meetings were held in St. John, and protesting speeches made by gentlemen, who, if they differed politically, even socially, would make common cause, and upon the platform dwell sympathically upon Colonial grievances. And although the language used was always loyal, it was nevertheless sharp, crisp and unmistakably condemnatory.]

Mr. Mitchell offered the following Resolution:—

"Whereas it is desirable for Commercial Interests, and the general prosperity of this Province, that the principle of Reciprocity of Trade and Commerce recognized by the Imperial Statute 15 and 16 Victoria, Chapter 17, and acted on by the Imperial Government, should prevail to its greatest extent: And whereas such Act admits to Foreigners, *inter alia*, the right of participating in the carrying trade of the British Empire, on equal terms with British Vessels, and provides, with a view to securing the fullest reciprocity, that Her Most Gracious Majesty, by Order in Council, may suspend such privileges as against any Nation who may refuse to reciprocate with us: And whereas certain Foreign Nations are in the enjoyment of privileges connected

ment, when there was hardly a quorum present. He went on to show the evils arising from the law. In the County of Carleton about forty debtors had taken advantage of it; the highest composition offered was 3d. in the pound. In most cases it was 1d., in some cases 1/2d. In Westmorland there were forty-one cases—the highest amount of composition 1s., and the lowest 1/4d. In York it was about the same. In St. John one man who owed £18,000 had only paid £5. The whole average composition offered throughout the Province was 1d. in the pound. He (Mr. Smith) contended that this was evidence of fraud, for there were very few debtors who could not pay more than that. If this law remained on the Statute book it must necessarily injure our credit abroad. The tendency of our legislation had been too much towards favouring the debtor; the more facilities afforded the debtor to get rid of his debts, the less exertion he would make to pay them. Mr. Allen contended that the general operation of the law was beneficial—any evils arising from it were because the creditor failed to take advantage of its provisions; the arguments of some hon. gentlemen went so far as to do away with the principle of an Insolvent Law altogether. As far as his knowledge went the great majority of those who had taken the benefit of the Act were persons who were insolvent—in many cases not worth a shilling. Mr. Steadman said it was not fair to argue this Bill upon particular instances, for they could be put in another and totally different light. It should be looked at upon the broad principle of its effect

upon trade and commerce generally. He contended that the operation of the law as a general thing was good—that the general thing was carelessness of creditors, in not doing justice to themselves. In the County of Westmoreland, as far as his knowledge went, and he was acquainted with nearly all the parties who had taken the benefit of the law, not one of them could pay 2s. in the pound. The clause that limited the operations of the Act to two years had produced much evil, for it had hurried people into taking advantage of it, who would otherwise have struggled on, and endeavoured to redeem themselves. He would vote against the Bill before the House.

[The next article will be chiefly in reference to the University of New Brunswick (formerly "Kings College,") the history of which will be given.—Ed. PROGRESS.]

PROGRESS, SATURDAY, JUNE 16, 1894.

POLITICAL NOTES.

Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 24.

ate on King's College—Conflicts of Opinion as
o the Rights of the English Government and
uties of a Governor—History of King's Col-
lege—Its Past and Present Condition.

n the 25th March Mr. Steadman
ed a series of Resolutions in reference
ne Imperial Government and King's
ege.—[NOTE.—At the previous Ses-
the Legislature resolved, 27 to 12, to
draw all aid from King's College,

which was virtually to close its doors, but year ending 31st
the English Government disallowed the
Act, on the ground of the Civil List pro- be granted to His
vision made for its maintenance. Hence ending 31st March,
Mr. Steadman's action.]—which were
tantamount to a vote of want of confidence be granted to His
in the local government, for its submisive- arch, 1917.
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Responsible Government. Mr. Steadman tablishment, main-
made an elaborate speech, quoting largely nd development of
from authorities upon the constitutional : for fresh fish, for



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principles involved. He assumed that the Executive knew the terms of his Excellency's despatch, and should therefore be held responsible. The despatch was adverse to the interests of the people and rights of the Legislature, and the Executive should have resigned. He moved his Resolution, which Mr. McAdam seconded. The Attorney General followed. The proposition of Mr. Steadman he declared to be an error. It was not established here in Canada or Nova Scotia, that the Executive should be embraced in our Constitution. He denied the Governor, who had followed the only constitutional course pointed out for him, and contended there was no principle involved on which to appeal to the country, and declared that this was the first time in which a Governor had been reflected on by resolution of the House. He concluded by moving as an amendment a resolution affirming that the Executive should see all despatches transmitted by His Excellency relating to any laws enacted, and that the Executive should use all constitutional means to obtain that right. Mr. Tilley explained that at a meeting of the College Council, soon after the Legislature had been prorogued, an Address was prepared for transmission to Her Majesty. The Hon. Attorney General and himself recorded their vote against this Address. Aware that the Address was to be sent home, they communicated the fact to their colleagues, a meeting of the Executive Council was called, and they asked His Excellency to furnish them with any remonstrances against the Act. His Excellency's reply was that in the history of the colony there was no instance of such a request having been made to the Lieutenant Governor; but he promised to lay before the Colonial Secretary the memorandum of the Executive Council. The Government had been charged with allowing time to pass by without taking any further steps in the matter. Now, the fact was that the Government felt sure that if the decision of Her Majesty's Council was to be affected by these remonstrances, nothing definite would be done until copies of these remonstrances were first transmitted to the Executive Councils. But the decision of Her Majesty's Council was arrived at without references to remonstrances at all; and it appeared from the Colonial Secretary's despatch of the 7th October, that if these were likely to have any influence upon the decision of the Colonial Secretary, they would have been forwarded by the

Executive Council. But the matter was decided without any reference to these at all. Mr. Tilley went on to explain his views. The true reason of the rejection of the Bill was on account of the £1,100 in which the faith of the Crown was pledged.

Mr. Lawrence said His Excellency's conduct in reference to the College had been perfectly constitutional, and it stood out in bold relief from the conduct of his advisers, commending itself to the favorable consideration of every right minded man in the country; he told his Council

that he had received remonstrances against the allowance of the Act, and he invited them to send Home counter remonstrances and giving their reasons why the Queen should give her assent to it. They failed to do so, and this was sufficient to deprive them of the confidence of the House and of the country. Mr. Lawrence here went over a history of the legislation that had taken place with reference to the College since 1851, down to last year, when the Act

for the withdrawal of the grant was agreed to.

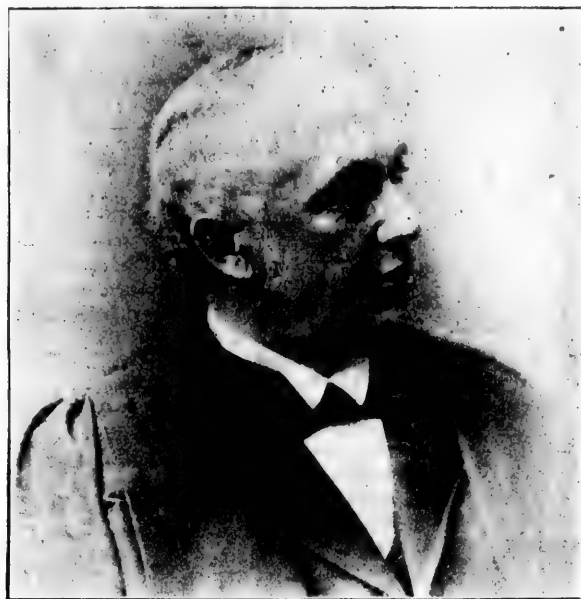
The debate was one of the most spirited of the Session, and occupied several days. Almost every member spoke.

Mr. Steadman closed the debate in an able effort. The amendment was carried 28 to 18. Every member present, Speaker in the Chair.

On the 13th April His Excellency closed the Session in a speech of a dozen lines, after giving his assent to a large number of Bills.

RECAPITULATION AND EXPLANATION.

It may be here remarked that even up to this time the principles of Constitutional Responsibility had not been settled. In sending the College Act to the Colonial office, the Lieutenant Governor accompanied it by an address from the College Council, in opposition to the action of the Legislature, and assigning reasons why Her Majesty's assent should be withheld. This address His Excellency refused to submit to his Council. Therefore it was contended, even by supporters of the Government, that as the Executive Council were responsible for the acts of the Governor, they should have insisted upon seeing the letter, or resigning their offices. The effect of the discussion was the settlement of this proposition, and that in future all despatches, sent forward, should first be examined by the Ministry. Although Mr. Steadman's resolution failed to carry, the Attorney General's amendment affirmed



DR. HARRISON, Chancellor of the University of N. B.

the main points of contention, and therefore, it was a virtual triumph for Steadman. With regard to the Institution itself, a short sketch of its history may prove to be interesting to those who have since graduated and all others who take an interest in the higher education. It has certainly run through several gauntlets at the hands of the Legislators. Today (1894), however, it stands upon a far higher basis than it did formerly, and is doing good work under able Professors and management. A Bill had been brought into the House to suspend the grant to this Institution in the year 1858. The College was founded in the year 1800, and in 1829 it enjoyed from the Crown a grant of £1,000 stg., and from the Province £1,100 currency per annum; it was clearly a Church of England establishment, and although it enjoyed a large revenue, amounting to between £3,000 and £4,000 per annum, its usefulness was extremely limited; it did not possess the affections of the people; it was considered to be of an exclusive, sectarian character; the friends of the College finding public opinion to be hostile to it, procured an Act of Assembly in 1845 to be passed, removing all religious tests, but the remedy came too late; it languished along in the state of the Church of Laodicea, neither hot nor cold, but lukewarm, until

1858, when the Bill to suspend the grant was introduced into the House of Assembly; during that or some preceding year, there had only been three or four students belonging to the College; these persons, probably the children of rich parents, cost the Province for their education nearly £1,000 each. Now that was an unseemly state of things, and called loudly upon the country to improve the Institution or to pull it up by the roots. Upon the introduction of the Bill to suspend the grant an amendment had been moved, the

object of which was to improve the Institution and put it on a more efficient footing. This amendment was lost by the casting vote of the Chairman only, but upon the question being taken upon the Bill, it was carried by a large majority. It received the concurrence of both branches of the Legislature. The Bill was passed on the 6th of April 1858; on the 14th, 15th and 16th of that month the College Council prepared a petition, and the Professors of the College wrote letters to the Colonial Secretary, urging reasons to Her Majesty against giving her assent to the Act. These were placed in the hands of His Excellency on the seventeenth of the same month for the purpose of being transmitted to the Colonial Secretary. On the same day the Executive addressed a Minute of Council to His Excellency, requesting copies of the petition and letters, which he refused to grant upon the ground that they had no constitutional right to make the demand. His Excellency soon afterwards transmitted the petition, letters and Minutes of Council to the Colonial Secretary. His Excellency on the 16th July wrote a long dispatch to the Colonial Secretary, setting forth in de-

tail a great many objections to the passage of the Act. On the 7th of October the Colonial Secretary sent two despatches to His Excellency, in one of which he admitted the right of the Executive Government to be furnished with reasons for the passage of the law, and on any other occasion which might arise when representations should be made against the passage of a Bill that required the Royal

assent; and in the other despatch he stated that Her Majesty had been advised to withhold her assent to the Bill, not upon the grounds set forth in the petition and letters, but upon a different one. The resolution then before the Committee condemned the Government for a dereliction of duty in allowing the despatch of His Excellency to be transmitted without being submitted to them. With respect to the petition and letters the Executive had acted with much promptitude. No men, it was contended, could have been more active, and therefore they stood perfectly free from censure. Now, they were entitled to the approbation of the country. Then with respect to the important question of the Governor's despatch, the Opposition contended that that despatch defeated the Act, and as it proceeded from the Government, the Executive Council were upon the theory of Responsible Government, liable at all events by implication for its contents. The whole question is hinged upon this point; it was an undisputed fact that the Executive did not see the despatch. By the 14th section of the Royal Instructions the Governor in transmitting Acts of Assembly affecting Imperial interests, was directed to assign the reasons and occasion of their passage. It was true that His Excellency in this particular did not give the reason for the

passage of the Bill, but on the contrary put forth strong arguments why it should not pass. His Excellency stood in a very anomalous position: he was in the first place the representative of the Sovereign, and he had declared that independently of this relation he was her Minister. It was certainly a question of grave importance. In Canada and Nova Scotia, both colonies, alive to their rights, had not yet decided that they were entitled of right to see the despatches of the Governor to the Colonial Secretary. In matters affecting the passage of Provincial Acts, it was highly desirable that the Executive should have that power. [No such things can happen at the present day—the ground has all been cleared away by the old Reformers, in which the Press at the time played no unimportant part, although its services are scarcely remembered by the present generation.]

At the present day the University of New Brunswick is fast becoming most popular and useful. On the re-opening next fall it is expected the whole number of students will be about sixty; and although it may not be all that it is desirable, it is fast working up into such a state of efficiency as will in a few years make it one of the leading Colleges in the Dominion. I here append the names of the Chancellors and the Professors all, men of the highest classical attainments and capable of teaching in any College known.

Chairman of the Faculty and Professor of Mathematics, also Chancellor of the University.

THOMAS HARRISON, M. A., LL. D.

Trinity College, Dublin.

Professor of Chemistry and Natural Science.

LORING W. BAILEY, M. A., Ph. D., F. R. S. C.
Harvard College.

Professor of Classical Literature and History.
HENRY SCABURY BRIDGES, M. A., Ph. D.
University of New Brunswick.

Professor of English and French.
WILLIAM FREDERICK STOCKLEY, M. A.
Trinity College, Dublin.

Professor of Civil Engineering and Surveying.
STEPHEN M. DINON, B. A., B. A. I.
Trinity College, Dublin.

Associate Member Institution of Civil Engineers.
Alumni Professor of Mental and Moral Philosophy and Political Economy.
JOHN DAVIDSON, M. A.
Edinburgh University.

Professor of Physics and Electrical Engineering.
GEORGE M. DOWNING, B. Sc.
Pennsylvania State College.
Electrical Engineer Polytechnic Institute, Brooklyn.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENEY, Fredericton, N. B.

No. 25.

Opening of the Session of 1860—The Common Council of St. John—Who Should Appoint the Civic Officers?—Railways Again—Estimates for the Year—Book Stealing from the Legislative Library—Sharp Accusations—Invitation to the Prince of Wales to Visit the Province—The whole Management Finally Left with the Government.

SESSION OF 1860.

The Legislative Session for this year opened on the 9th February. About this time news reached us from Nova Scotia of the defeat of the Johnson (Conservative) Government by two votes only—the division stood 28 to 26. The leader of the opposition was Wm. Young, Esq. (late Sir Wm., afterwards Chief Justice.) The Government accordingly resigned, and Mr. Young was called upon by His Excellency to form a new one.



MR. J. W. LAWRENCE.

On the 11th Mr. Lawrence, (New Brunswick), introduced eight bills from the Common Council of St. John. The Attorney General complained that the Legislature was besieged every Session by bundles of bills for St. John, and argued that the Corporation should be vested with

power to control their own local affairs; he stigmatized the present system as monstrous. Mr. Watters thought it better to have the various Bills published in the St. John morning papers, as it would be a saving of time and a satisfaction to the house. Mr. R. D. Wilmot was opposed to vesting any further power in the Corporation, and affirmed that the Common Council did not, nor never did represent the feeling of the City of St. John, and declared his intention of opposing every measure tending to increase the taxes of the City. Mr. Tilley was in favor of extending the powers of the Corporation, and it such was the case the citizens would take more interest in choosing their civil officers.

[The Common Council are still amenable (1894) to the Legislature for any action to be taken. The Recorder and members of the Police are appointed outside of the Council, as in former years when the Mayor was likewise appointed by the Executive. No opinion is expressed here whether or not a change in these respects is desirable. But it is a noteworthy fact that in his Message to the Common Council of the City of New York (1883), the Mayor attributed most of the difficulties in civic matters to State Legislation, while the City is Democratic, the Legislature is Republican, and therefore there must naturally be considered party friction. However, the respective cases are not altogether analagous.]

On the 14th a long discussion took place upon Railway matters, in which Mr. Lawrence was the mover and chief central figure, and held his own with much force and ability against some of the ablest men in the House. This Railway business had of late years been brought prominently forward, and an immense deal of talk followed. The subject matter, however, is not of sufficient importance to show the arguments used, or the cause of them, as Railroads are now established, and therefore no precedents require to be put on record.

On the 28th of February the Provincial Secretary brought down the Estimates for the year and delivered his budget speech. The amount of money required for the ordinary service was £195,128 13s. 10d., and the estimated available amount is £105,507 19s. 11d. Some of the ordinary items provided for are somewhat curious—for instance, £250 for revolutionary pensioners. These old heroes were considered at the time (1860) to be very long lived. As the revolutionary war terminated in 1783, if a person was 17 years old at the time, these Pensioners must have been about 94 years of age. It is presumed that when Confederation took place in 1867, this Pension List must have been cut off.

On the 3rd March, the attention of the House was directed to the Legislative Library management. Mr. Smith (late Sir Albert) said that a large number of books were missing from the Library, and no one was responsible for them. Mr. Gray said he had been informed that 300 volumes were missing, and 44 sets broken. Mr. Hanington thought the Library Com-

mittee should take some action upon the matter, in order to remedy the evil; and he was sure the House would sustain them. Mr. Gilmour thought that the Library was a standing monument to the extravagance of the country; he thought there should be a strict supervision over the Library, as he observed that all of the best information was out of the Library, and he thought the people of Fredericton got the full benefit of them; he noticed that some volumes from the Library were used for propping up windows, &c. Considerable time was occupied in talking about the affair; the general feeling of the House was that there should be a complete revision in the management; the majority of the members also expressed full confidence in Mr. Needham, (father of the late W. H.) as Librarian, but thought that the duties were too onerous for so aged a man, and recommended that one or two assistants should be furnished him. [It used to be a notorious fact—I do not know how it is of late years—that members carried volumes with them to their homes on prorogation, and generally failed to return them. When the first volume of "Political Notes" was published, a copy was placed in the Library, but it too disappeared—another and another volume placed there also went in the same fashion—so that the Library today is without a book which of all others should be on

its shelves. Another volume might be presented provided the Library Committee would be willing to chain it to one of the tables—although I am inclined to believe that this sin of petty pilfering passed away with former Houses, and so the prayers of the Chaplain have not been in vain.

On the 19th of March the Attorney-General moved a resolution to the effect that an invitation be extended to His Royal Highness the Prince of Wales to visit this Province. He said that it was the intention of His Royal Highness to visit Canada during the ensuing summer, and the idea is to induce him to extend his visit to us. Mr. Fisher supported the resolution in a speech that occupied three-quarters of an hour in delivery. Mr. Brown would support the resolution, if the expenses were paid by subscription: he was willing to contribute as much for that object as any other man, considering his circumstances, but would oppose the expenses being paid out of the Province Chest. Mr. End hoped we would not let our hearts get the better of our heads; he concurred with every word that had fallen from the Surveyor General; the Province was in debt, and he did not think it advisable to incur any additional expenses for any such object: he did not wish to throw cold water upon the movement, but was afraid the expense likely to be incurred would be greater than the present state of our finances would warrant. Hon. Mr. Tilley spoke at length in favor, during which he remarked that, considering the matter in a financial point of view, he thought it would be a benefit to the Province. His Royal Highness would be invited to open the railway, and this fact being made known thousands upon thousands would flock to see him, and it would be impossible to calculate the indirect benefit that would result from this visit. He was confident that the people of this Province would cheerfully comply with and sustain their representatives in voting for a grant for this object. He felt sure that his constituents would censure him should he vote against extending an invitation to so distinguished a personage—his visit would be a lasting honor to our country,—he was satisfied that upon his arrival in St. John, there would be a loyal demonstration, such as was never witnessed in the City before; he thought he would visit Miramichi, and during his stay in the Province, he would make the Government House his headquarters. During his visit thousands of Ameri-

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can subjects would come to our Province to embrace this opportunity of seeing the future Sovereign of the British Empire. If there was a Sovereign in the world that the Americans loved it was Queen Victoria, and they also felt a deep interest in her successor. Mr. McLellan thought it would not be advisable to incur a large expense for the purpose of entertaining His Royal Highness, as we are engaged in the construction of great public works and could not well spare so large an amount as would be required for this purpose. Mr. Lawrence said he would cheerfully vote for inviting His Royal Highness, but he would object to granting a large amount for his entertainment, in fact he was not prepared to trust the Government with the expenditure of so large a sum as £5,000, which some had calculated the visit would cost us: he was willing that the Government should do the inviting, but he would leave the entertaining part to the discretion of the people at large. Mr. Hanington made a lengthy speech; he said he would be happy to have the Prince visit our Province, but did not like to incur the expense. Mr. Kerr also expressed himself against appropriating so large an amount for such a purpose; he did not like

POLITICAL NOTES.

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A Glance at the Leading Measures Carried in the the
House of Assembly of New Brunswick,
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By G. E. FENEY, Fredericton, N. B.

No. 20.

THE PRINCE OF WALES IN NEW BRUNSWICK.

The last article prepared the way for a brief sketch of the arrival of His Royal Highness the Prince of Wales in this Province in August 1860. As stated in our last, the House of Assembly, after a lengthened discussion, concluded upon placing the invitation and reception altogether into the hands of the government. At this

time the Prince was in the 20th year of his age, as his portrait in this number will pretty well indicate, quite a delicate looking lad, but of manly bearing—he seemed to know exactly what to do with his arms when in repose, quite a difficult matter with even some of the best bred people. The Prince's suite was composed of the Earl of St. Germain, the Duke of Newcastle, Major General Bruce, Dr. Auckland, also their secretaries and equerries, and servants, a goodly number, all told. The landing and reception at Halifax we do not stop to detail, but they were most imposing, loyal and royal, amidst salvos of artillery from the Citadel, the numerous batteries which skirt the entrance to the fashions and the man-of-war in port at the time. After several days balling, driving, picnicking, and noises generally all over the city, the Prince bade adieu to Halifax, to the great sorrow of the inhabitants and wended his way to Windsor (en route to St. John) where he was royally received at luncheon, and the recipient of more huzzas, big guns and small guns due to the occasion not forgetting the everlasting addresses, the boredom of Christendom. His royal highness took passage on board H. M. S. Styx in waiting for the purpose, and arrived off of St. John at 10 o'clock same evening.

According to a preconcerted arrangement, as soon as the vessel should arrive off Partridge Island and there drop anchor, one gun should be fired to appaise the inhabitants and authorities, but the debarkation was not to take place until next morning, so that nobody should be taken unawares and there would be ample time to make all necessary public preparations.

For a week before this St. John had been enveloped in fog and the great concern with us all was that it would be a great misfortune should his royal highness find "the Liverpool of America" enveloped in mist and unfit, as he might report to his mother, for all the shipping which was destined to find its way into St. John, so soon as "confederation" then loudly talked of, was to occur, as it did in seven years afterwards. It is true there was no live board of trade in 1860, but not a few optimists full of wise predictions. On the afternoon of the 2nd August, however, the sun began to show his nose through the clouds and the evening became bright and clear, and the moon threw his borrowed beams all over the waterscape and the landscape in glorious sheen as though old Neptune was as loyal to the occasion as any of us, and scattered the mist before him in order that the prince might have a favourable view of St. John and its environments. But so it was, the night was beautifully clear and warm; and when the big gun beached behind Partridge Island we all rushed down to the wharves to see the

ship if possible that conveyed "the future king of England" to our shores. That night was taken up in preparing the illumination designs, devices, and firework arrangements—in short the whole city was ablaze with gas jets, full head on—all the private windows in the principal streets of the town, as well as the public buildings, were on fire next evening, each resident vying with his neighbours to make the biggest blaze.

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*Albert Howard.
Prince of Wales.*

the "old inhabitants," was on a trip from Fredericton to St. John via the Nerepis road, and on his way down called at the residence of the general, situated near Westfield, then called "the Coffin Manor." On entering the field leading to the house he saw several men at work, begrimed and smutty among the burnt trees, and

accosting one of the hard looking tickets (none other than the general himself) he asked if General Coffin was at home. Feeling the awkwardness of his position, but resourceful withal he replied—"Yes, sir, and if you will walk up the avenue and into the house I will go and hunt him up." The general went on ahead, entered his house by the back way, ran up to his bedroom, washed, donned his uniform, gold lace, bands, sashes, &c., as became a general in the British Army—all of which toilet he accomplished in quick time—and so he descended to the room where his excellency had been awaiting his coming, and apologized for his tardiness. The whole performance was such a fine ruse on the part of the general that the writer thinks it is worth passing along into history.

By the time the Prince stood upon the wharf the officers or "common mechanics" had straightened themselves out like true blues. So with the general after his transformation from a smutty laborer, to a seal scarlet coated polished looking army officer.

By way of speculation some genius erected terraces of seats all about the sides of the wharf, capable of holding 5,000 persons. These had all to be filled at 25 cents each; but alas! not more than about 300 availed themselves of the privilege of paying this amount for seeing royalty at such a figure; and even this 300 had no lungs; for it was complained by the reporters of the English papers—such as the Times, Illustrated News and Daily News, all of whom came over in the same ship with the Prince—that the cheering and huzzas were so few and indefinite that they were not more than perceptible,—whereas, in England the said royalty was always received with such tumultuous huzzas, that there was no mistaking their meaning. As the loyalty of St. John appeared to be at stake, the visitor replied to one of these gentry that we had not yet begun to learn how to sing, and that royalty was such a scarce commodity with us that all our emotion at the time the prince stepped on shore, was extracted by our eyes, which we could hardly get

[It was said that the prince and some of his suite came on shore anonymously during the night of arrival and paraded the streets, incog. and took the whole thing in, and returned to their ship again. Ex-Capt. Marshall will know whether this was so or not, as he was the head "boss" over everything at the time.]

Next morning at about 11 o'clock the Styx drew up and dropped anchor at Reed's Point, with the Royal Standard floating on the fore-top, the first time since the Duke of Kent came to St. John that most of the inhabitants had ever seen such an emblem of royalty. The Lieut. Governor, (Hon. J. H. T. Manners Sutton) and the executive council, common council, all the Judges and Magistrates—in short every official high and low, was upon the wharf at Reed's Point to receive the Prince and suite on stepping on shore—and what is more they all behaved well for were we not to be overshadowed and overwhelmed by the presence of royalty—in short the present common government could not have done better had all its members been present, notwithstanding the hard things said about some of them by the opposition. But then there was a most unfortunate miscalculation about the moment. The workmen had not got all their fixings in reading ss—there were still carpets to be laid from the landing up to the head of the wharf for the Prince to walk over—a great roll of carpet had yet to be stretched from point to point, while the barge was on its way from the ship to the shore—to expedite matters several of the officers of "the New Brunswick Fencibles," a local branch of the Navy (now disbanded) might be seen in full uniform, with their gold epaulets and bright lace, bending and plying their hammers most vigorously, nailing down the carpet. A Boston reporter then present wrote to his paper that the admiral and captains of several men-of-war might have been seen on the wharf working like "common mechanics," and blistering their hands for the sake of royalty, and "common mechanics," as the Boston writer was pleased to call them, they really were, but on this occasion in the disguise of officers. Had they doffed their gold lace coats, while thus volunteering their services to expedite matters, no such mistake would have presented itself. The writer is here reminded of a circumstance that occurred in this Province when Sir Howard Douglas was Lieut. Governor in 1825. General Coffin (brother of Admiral Coffin) well known to

open wide enough, and moreover, the fact of a live prince standing in our presence in St. John so took away our breath that we were "too full for utterance," and that he must excuse us this time and we would promise to do better in the future.

Prince William street, through which the procession passed on its way to the old Chipman house, contained several well-formed triumphal arches, and the houses were finely decorated with evergreens and flags. The street was densely packed on both sides with people of all ages and sizes.

On arriving in the Chipman field, the

retinue was greeted by some three thousand school children, who sang the National Anthem, in right-royal style. The old residence had been finely fitted up and newly furnished by the Government. Here the Prince's grandfather, the Duke of Kent, lodged for several days about 70 years before—so that this old building is quite historic.

About 12 o'clock the Prince proceeded to the Court House, when the following address was presented to him by the Mayor and corporation:



[COURTESY OF THE GLOBE.]
THOMAS McAVITY, Esq.

To His Royal Highness Albert Edward Prince of Wales, Duke of Cornwall and Rothesay, Earl of Dublin, Baron of Renfrew, Knight of the most noble Order of the Garter, &c., &c.

We, the Mayor, Aldermen, and Commonalty of the city of St. John, hasten to approach your Royal Highness for the purpose of welcoming to New Brunswick the Heir Apparent to the throne, and the future Sovereign of this great empire, of which it is our pride to form a portion, and over which the beneficent sway of our beloved Queen, day by day, strengthens those ties which happily unite us with the mother country. Among us is still found a remnant of those who in the last century witnessed and partook of the joy and enthusiasm with which your Royal Highness' grandfather, the Duke of Kent, was received on his visit to the infant city, upon the founder of which, in token of royal approbation, great benefit had been conferred by the royal charter of his Majesty George the Third, and with just pride we declare to your Royal Highness, that the feelings of loyalty and attachment which led to the shores the founders of this city, still eminently characterize the entire population of this colony. It is our prayer, that your Royal Highness will have a propitious termination to the tour through her Majesty's North American dominions, in which you are now engaged; and we hope that you will vouchsafe to assure our gracious Queen, that peace and contentment are found among us under her rule, and that love and attachment to her

person and crown is the common sentiment of her devoted subjects in this the commercial capital of her province of New Brunswick.

The Prince received the Address personally from W. R. M. Burtis, common clerk, to whom it was handed by the Recorder, and returned the following answer direct, instead of through the Duke of Newcastle:—

GENTLEMEN,—I thank you with all sincerity for the Address which you have just presented to me, and for the welcome which it conveys to the colony of New Brunswick, and the important city of which you are the municipal representatives. When my grandfather, the Duke of Kent, paid to this place the visit to which you make so gratifying a reference, he found it but little more than a village. It is my good fortune to receive on the same spot from a city—which affords a striking example of what may be effected under the influence of free institutions by the spirit of energy of the British race—these demonstrations of love and loyalty unto me. Your commercial enterprise has made this port the emporium of the trade of New Brunswick; and as the noble river which flows into it brings down for export the products of your soil, so I trust the vessels which crowd its piers will reward your successful industry with the wealth of other lands. I am not unmindful of the origin of this city, and it will be a subject of pride and pleasure to me to report to the Queen that the descendants of its founders have not departed from their first attachment to the crown of England, which brought them to these shores.

The Merchants of St. John, alive to the importance of the press, conceived the idea of getting up a public dinner, to the English Press representatives connected with the Prince's movements, and it was to be under the auspices of the St. John Press. The price of tickets was \$10, and the Banqueting Hall Stub's Hotel, then facing the Custom House. Upwards of 60 gentlemen were in attendance. Instead of a member of the Press occupying the chair, that post of honour was designated to the High Sheriff, there being no Editor of the St. John Press being considered at the time sublime enough for the character of Hamlet and so the performance went on

without one of its chief characters—that is to say "the right man in the right place," and yet one of those Editors in a few years afterwards was considered sublime enough to be created speaker of the Dominion House of Commons. But then this was the day of small things, including small men. But alas: the chief guest in expectation, the London Times representative, failed to put in an appearance. He was called elsewhere, but the Illustrated News and Daily London News and a couple of other Press men were on hand and did full justice to themselves and to their hosts, but whatever became of the crop sowed by the St. John merchants at that time, deponent sayeth not but he always thought that the game was not worth the candle.

On the morning of the 4th of August, the Prince took leave of St. John and proceeded out to Rothesay, (named after one of his titles) whence he took passage for Fredericton on board the Forest Queen, engaged exclusively for his royal highness and party. Among the company was the then mayor of Montreal, who sported around his neck his badge of office, an immense gold chain, which gave him rather a formidable appearance, so much so, that on the passage to Fredericton he was

pointed out by the people on the banks of the river as the veritable prince, and they cheered him accordingly—whereas the real prince was taking his observations of the beautiful scenery of the St. John in ambush without fuss.

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENETY, Fredericton, N. B.

No. 27.

THE PRINCE'S VISIT.

(Concluded from last week.)

The steamer arrived in Fredericton at six o'clock. The whole population appeared to be on the wharves and at all vantage points to receive the Prince. The landing wharf improvised for the occasion was directly back of the office of Mr. D. F. George. The Cathedral bells and all the other bells in the city, rang out more than a Sabbath peal. The Militia and Regulars

lined the roadway on both sides as the Prince proceeded from the wharf, presenting arms and the artillery firing a royal salute from the big guns planted above on the river's bank. The Governor and council, Judges, the Clergy, and "all others in authority" were on hand in full costume. [And it happened that while the people were assembled upon the wharf (a goodly number), there were present among them: all the professional and religious orders of the community, and with them the Clergy of the Church of England headed by the late Bishop, and one of the clergymen turned to the Bishop, as the Prince was about landing, and said "my lord, would it be proper for the clergymen to join in the huzzas with the multitude?" Whereupon his lordship replied "are ye not *men* as well as clergymen" and with one voice they all shouted—"we are, my lord," and the Bishop responded "then sing out like *men*." And they all cried out amen, and when the time came *did sing out* with a most devout fervor! Nor was the Bishop behind them.]

Mr. Mayor Beek and city officials conglucted his royal highness to his carriage, and then joined the procession in big carriages, through the principal streets, to the Government House, then in all its glory and summer verdure. The governor himself, Hon. J. H. T. Manners-Sutton, and

hissal of J. B. Levesque, of Rivière Ouel family had previously arranged to domicile themselves for the nonce at "Rose Hall," (since destroyed by fire) just below Lansdowne street—for this visit was a special mark of royal favor and quite unlike the subsequent visits of Prince Alfred (now Duke of Saxe-Coburg,) Prince Arthur (now Duke of Connaught) and Princess Louise; for these were all common royalties, compared with the immediate heir to the throne. No doubt, however, Governor Manners-Sutton slept as soundly beneath the roof of Rose Hall, as he would have beside "the blood of all the Howards," in Government House.

On the evening of the Prince's arrival the firemen turned out in a torchlight procession, the houses were all aglow with lights; every window was tapered and some of them with suitable designs and symbolical devices.

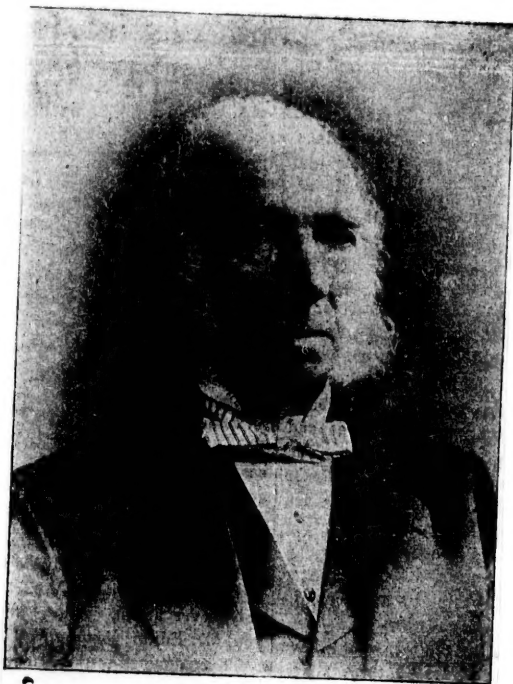
On Sunday morning the Prince and suite attended divine service at the cathedral occupying the governor's seat, when the late good Metropolitan preached the sermon, which I have before me, too lengthy for repetition in a mere newspaper article—a most admirable, manly production, no adulation, or maudlin sentimentality towards the great, but showing that in the presence of the wise Creator and Redeemer all men alike were measured by their deeds and not their social positions, although he did not fail to teach that the position in the State and in the world was not always the same—some inherited rank, and others knew nothing but poverty all their lives, but all had each for himself to give an account at last, without distinction, for the example of their lives and the exercise of their opportunities in their respective spheres. At the conclusion of the service the Bishop pro-

ceeded down the aisle and took leave of the Prince at the church door. 179

On the next day the Mayor and Corporation presented the following address to his Royal Highness:

To His Royal Highness Albert Edward, Prince of Wales:

The Mayor and City Council of the city of Fredericton most respectfully greet your Royal Highness with a right hearty welcome to the metropolis of New Brunswick. From the affection we entertain for Your Royal Mother, our beloved Queen, we bid you welcome. From our regard to yourself, as the son of such a Mother and the Heir Apparent to the Throne, we bid you welcome. From our attach-



JAMES S. BEEK, Mayor of Fredericton. 178

ment to the Constitution which admits of such a design and maternal sovereignty in the person of Your Beloved Mother, we bid you welcome. In obedience to the universal heart-throb of our Empire of perpetual sunlight, we bid you welcome. Victoria's son must be everywhere welcome throughout Victoria's dominions. Your Royal Highness, during your provincial tour, will visit larger cities and see greater developments of wealth and art than we present, but nowhere can there be found a people more devoted to the Throne than in and around the *Silva Alta nobilis*. May the King of Kings graciously protect Your Royal Highness during your prospective tour, and bring you safely home again to the land of our fathers and the sunshine of the royal domestic circle.

To this address the Prince read the following reply:

GENTLEMEN,—Your hearty reiterations of welcome demand my warmest thanks. In the name of the Queen I thank you for the expressions of your loyalty, and for the just tribute which you pay to the acts of her reign, and the sentiments which have always animated her. In my own name, also, I thank you for the warm reception I have met with in the city which you represent, and for the earnest wishes for my welfare which you have expressed. Your city, no doubt, is small in comparison with many others

which I am about to visit; but the enthusiasm with which you so loudly greeted me on Saturday, and the devotional quiet which prevailed yesterday in your streets, prove to me that this community know how to fear God as well as to pay due honor to its earthly sovereign. I sincerely trust that these virtues may never diminish amongst you, while your limits enlarge and your wealth increases in proportion to the local advantages which Providence has bestowed upon you.

In the evening the Prince held a levee at Government house, when the principal gentlemen of the city and neighborhood were presented. Next day he opened the public park offered to the city by the late Senator O'Dell, but upon such conditions that the city could not accept it. This is the Park just now so nobly purchased by Edward H. Wilmot, Esq., for the use of the public, as hereafter to be settled upon by that gentleman. The chief feature in the ceremony was to open a Fountain for the first time, but which proved to be such a sorry failure that the oldest inhabitants to this day talk and laugh about it. The money spent upon this fizzle by some of the addle-pated leading citizens of the time was enough to have built a small church. The fine cut stone

around the basin still lies scattered about the spot, and it is the intention of the managers of the Park to have them placed in a pyramidal pile a la ruins of Pompeii, as a memorial of other days when the people's money was squandered just here. There must have been 5000 persons on the ground at the opening, since which time the land has been locked up and useless, except for cow grazing.



Old Government House from Odell's Park.
Where the Prince was entertained.

In the evening of the same day a grand ball was given in honor of the Prince, in the old Province Building, gaily fitted up for the occasion, at which were present the entire elite of Fredericton and all around. The Prince enjoyed himself immensely, taking part in every dance.

Among the ladies he favored in this way (I am thus particular in giving names to the information of their children and grandchildren, posterity of all grades as well) were, Hon. Mrs. Manners-Sutton, Miss Florence Parker, (daughter of Judge Neville Parker,) Miss Fisher, (daughter of Judge Fisher,) Miss Lizzie Hazen, Miss Medley, (daughter of the late Metropolitan,) Mrs. Justice Ritchey, Mrs. Bayard and Miss Robinson.

On the second morning after the arrival of the Prince, he with the governor's son, rose at an early hour, and together jumped into a canoe lying on the bank just behind the government house, and paddled away out into the middle of the river. Now as neither of them knew much about such a frail bark they were both in imminent danger of losing their lives. When the governor got wind of this escapade he rushed

out of the house, half clad, in a terrible state of alarm, and called upon the two lads to come back for heaven's sake, but the Prince replied by shaking his fist at the governor, and was determined to keep on and touch St. Mary's shore, which was accomplished when they both leisurely paddled their way back safe and sound, nobody scared but the governor. What a historical name the St. John river would have gained, had the future King of England met his death just here!

His Royal Highness took his departure from Fredericton on the next day (Tuesday, 7th August, 1860) in the Forest Queen for Indian town, thence he proceeded through the Douglas road in a carriage, across the suspension bridge and soon on to Carleton, where a large party of firemen and lumbermen met the cavalcade, unhitched the Prince's horses and made—horses of themselves. His royal highness finally embarked from near the City's present "elevator" on board H. M. Steamer the *Slyx*, for Windsor, N. S.

This article ends for the present the "Political Notes," started in January last, to be resumed hereafter (D. V.) in order that the thread may be continued down to as late a date as possible. Albeit if the present writer cannot see his way clear to continue the work, it will be no difficult matter for some one else to find materials immediately at hand to prosecute the labor, since the hill has been climbed and the field for renewed exploration lies more clearly and distinctly before him. For the the present then gentle reader, adieu.—G. E. F.

ERRATA.—In the article of last week in reference to the Prince of Wales, your compositor put me in for several very strange errors, and I will be obliged if they are corrected in this issue, viz.
Instead of "entrance to the fashions" read "entrance to the harbour."
Instead of the words "appease the inhabitants" read "apprise the inhabitants."

Instead of "the present common government" read "the present Dominion government."
Instead of the "visitor replied," read "the writer replied."

Again, I am made to say "he had not yet begun to learn how to sing"—I wrote nothing like it.

There is a number of other minor mistakes, which I do not stop to correct. The title of "Thomas McAvity," should be given to him as Mayor. A stranger would naturally inquire who was Thomas McAvity that his portrait should be published in connection with the Prince of Wales? Therefore, read "Thomas McAvity, Mayor of St. John."

G. E. F.

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